



# THE MONTH

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## CONTENTS.

1. A GLIMPSE OF CATHOLIC GERMANY . . . . .	I
2. THE WELFARE OF THE CHILD. <i>By William C. Maude</i> . . . . .	9
3. MR. RIDER HAGGARD AND THE IMMURING OF NUNS. <i>By the Rev. Herbert Thurston</i> . . . . .	14
4. VESALIUS THE ANATOMIST. <i>By George Matheson Cullen, M.D.</i> . . . .	30
5. A RELIC OF THE PENAL DAYS. <i>By the Rev. T. E. Bridgett, C.S.S.R.</i> . . . . .	51
6. THE OXFORD SCHOOL AND MODERN RELIGIOUS THOUGHT. <i>By the Rev. George Tyrrell</i> . . . . .	59
7. FACULTIES FOR CONFESSION. <i>By the late Rev. John Morris</i> . . . . .	69
8. THE BLESSED HERMANN JOSEPH. <i>By A. Streeter</i> . . . . .	92
9. THE FORCE AND MEANING OF A LAW. <i>By the Rev. William Humphrey</i> . . . . .	101
10. STONYHURST MEMORIES. <i>By Percy Fitzgerald, M.A.</i> . . . .	114
REVIEWS . . . . .	131
1. The Blessed Virgin in the Fathers of the first six centuries. <i>By Thomas Livius, M.A., C.S.S.R.</i> 2. A New Testament for Theological Students. <i>By Frederick Brandscheid.</i> 3. De Divinis Scripturis, earumque interpretatione, brevis institutio. <i>Auctore P. Aloysio Senepin, S.J., Script. Sacr. et ling. Hebr., in Collegio S. Davidis Moldensi Professore.</i> 4. A Scripture Text-Book. <i>By Rev. Kenelm Vaughan.</i> 5. The Life of St. Peter Claver, S.J., the Apostle of the Negroes. <i>Edited by a Father of St. Joseph's Society.</i> 6. Two old English Books on Purgatory. <i>Edited by Father John Morris, S.J.</i> 7. The Battle of Ros-na-Ree on the Boyne. <i>By the Rev. Edmund Hogan, S.J., F.R.U.I., M.R.I.A.</i> 8. Under a Cloud. <i>By M. F. S.</i>	
LITERARY RECORD . . . . .	145
I.—Books and Pamphlets.	
II.—Magazines.	

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### *A Glimpse of Catholic Germany.*

---

THE Culturkampf is practically at an end, although the religious fermentation consequent upon it, can scarcely be said to have altogether subsided. On the 1st of December, the German Reichstag, by the unlooked for majority of 173 to 136 votes, adopted Count von Hompesch's motion for the repeal of the anti-Jesuit law, which is practically the last remaining relic of the famous May Laws of 1873. It is, however, matter of considerable doubt in political circles whether the resolution will receive the assent of the Federal Council, which is required before it can become law. The Government abstained from taking part in the debate, and it was probably the conscientious voting of the Socialists, who, sooner than belie their Liberal principles, were ready to sanction the return of their greatest enemies, that prevailed to carry the measure. The issue points, therefore, rather to a triumph of Liberalism than to any increase of Catholicity; still, the fact of the adoption of the measure shows that the insensate prejudices which animated the Culturkampf have well-nigh worn themselves out, and indicates that the tendency of national representative feeling is running in a direction favourable to the further development of Catholicity.

In the duchies an anti-Catholic policy is still nominally maintained, especially in Hesse; but its zeal has long been on the wane and is rarely felt as an actual prohibitive power. Its fitful outbursts of half-hearted severity, to which but little attention is paid, soon give place to the wiser method of ignoring what it cannot effectively prevent. The Imperial Government, realizing Professor Mivart's "civic ideal," prides itself on perfect neutrality in matters religious, and recognizes and protects the individual right of all members of the community to the free choice and practice of their creed, while the Emperor has of late manifested a distinctly conciliatory attitude towards his Catholic subjects. Whether this liberal policy will

go the length of lifting the ban that rests upon the ever-persecuted sons of St. Ignatius, remains to be seen; and an immediately favourable decision hardly seems to be expected even by the most sanguine, though no one doubts that the question is merely one of time.

The anti-Jesuit law was directed not only against that Order, but against all Orders considered as affiliated to it, such as the Lazarist Fathers, the Nuns of the Sacred Heart, and what is described as the separate, but kindred, Order of the Redemptorists. All other religious communities are freely tolerated and flourish in Prussia, and though nominally suppressed in the duchies and Wurtemberg, are to be found there also, but hampered by more or less restrictions. At Mainz, in the Duchy of Hesse, there is a large convent of Perpetual Adoration, numbering some fifty nuns, which is tacitly ignored by the local State authorities.

The all-important question of schools, although not solved in a manner according with the Catholic ideal, is met by a very fairly-working compromise. The State maintains, controls, and inspects all schools whatsoever, whether primary or collegiate; and retains the right of nominating all the teachers therein, but in the case of religious instructors and professors of theology, this right is never exercised, as matters stand at present, without the concurrence of the ecclesiastical authorities. In Prussia, denominational elementary schools still prevail and are supported by their own municipality or commune. In the other States these have been superseded by non-confessional, or mixed, schools, in which during the hours of religious instruction the pupils are separated and handed over to teachers of their own respective creeds, and the Catholics twice weekly to their own priest.

In districts where the population is mixed, the religious frontier will often, as in the lateral valleys of the Upper Rhine, be defined by the line of the high-road. On the whole, Catholics and Protestants seem to live together in concord, although occasional utterances of the Evangelical pastors bear witness to a latent bitterness of feeling and encourage a tendency to bickerings among the people. But this is chiefly observable in the neighbourhood of towns, where religious dissension is fostered by the aggressive tone of the Protestant press and the taunts of the ever-watchful Socialists. In the rural districts of Baden and Hesse, in the former of which there is a Catholic, in the latter a Protestant, majority, there are many villages which

possess but one church, in which case it is shared by Protestants and Catholics. If it be of Protestant foundation, it is lent at stated hours to the Catholics, who, on the ground that it is better to have Mass even under these unsatisfactory conditions than to have no Mass at all, are permitted to make use of it. But this is generally a temporary arrangement, pending the construction of a Catholic church. The still more objectionable converse has also the sanction of time-honoured custom and actual ecclesiastical authority. In the pretty little Catholic Church of Neckarsteinach in the diocese of Mainz, an unsightly Protestant communion-table occupies the centre of the nave between the altars of our Lady and St. Stanislaus, and for one hour every Sunday morning the church, Catholic at all other times, is handed over to the disciples of heresy, and in the presence of the Blessed Sacrament, perverted to the use of Protestant worship. And such instances might be multiplied. This abuse, which accentuates Christian charity at the expense of hatred of error, dates from those troublous times that followed the "Great" Napoleon's adjustment of German affairs, and it has grown into an accepted usage. It continues to be tolerated by the German Bishops, who may wisely deem that the present would not be a propitious moment for the revocation of a long established concession.

The German law of marriage and divorce, similar to that which prevails in the greater part of Europe, is very unsatisfactory to Catholics. Civil marriage alone is recognized by the State as valid, and though a subsequent religious ceremony is open to every one, it may only be performed on the production of a certificate testifying that the civil marriage has preceded it. The infringement of this law is met by the severest penalties on the priest or pastor who aids and abets it, and the offspring of a marriage cemented only by the rites of the Church is held to be illegitimate.

The commands of the Church respecting mixed marriages, namely, that the religious ceremony shall be performed in a Catholic church, and that the non-Catholic party shall sign an agreement to the effect that all the children of the marriage shall be educated in the Catholic faith, are rigorously enforced by the German clergy, and any Catholic acting in defiance of them is deprived of his or her right to the sacraments. But the difficulty of the Church on this point lies, not in securing the obedience of her own children, but, as in England, in insuring the

ultimate fulfilment of the obligations taken on the non-Catholic side, and this difficulty is increased by the State dictum that all children under sixteen shall be considered of the religion of their father. Against this decree no private compact would have any binding value, and in the case of a mixed marriage where the Protestant or Jewish father, repudiating his previous promise, insisted on his right to educate his children in his own religious persuasion, the Catholic mother would have no appeal. Even though the inclinations of the children might be Catholic, they could receive no instruction in the Faith contrary to the wishes of their father, until the completion of their sixteenth year, when they are adjudged legally competent to choose their own creed irrespective of the paternal consent.

The attitude of the State does not seem to be prompted by any active hostility towards the Church ; while she favours no special religion, she tolerates all, as items implicated in the welfare of many of her subjects.

Surrounded by an external atmosphere of great intellectual activity together with great spiritual inertia, the Catholic Church is, nevertheless, holding her own manfully in Germany, and upon the whole seems to be gaining ground, although her advance is not rapid. Socialism is her worst enemy, but the deserters are outnumbered by the recruits. The German mind is slow, and conversions are not so readily made as in England, where the kaleidoscopic practices of Anglicanism keep the spiritual atmosphere ever on the move and stimulate religious inquiry. But such conversions as are made are very genuine, and the Catholic spirit, where it does exist in Germany, is very pure and strong. The outburst of religious fervour which responded to the *Culturkampf* has outlived the persecution that excited it, and is at work, a living, active force, among priests and people, offering up to the Divine Judgment-Seat a perpetual holocaust of piety, which shall surely go far to counterbalance the grievous weight of free-thought that elsewhere is threatening to swamp the fair Fatherland in the direst penalties of unbelief. The religious aspect of the Rhine Valley where the Protestant element is reduced to a minimum, and where throughout large tracts of country the population is exclusively Catholic, is among the most edifying that could be found in the whole of Catholic Europe. Here every tiniest village possesses its church, the dark weather-stained walls, the conical-roofed tower, the tranquil, gabled "*Pfarr-haus*" with

vegetable garden attached, all grouped picturesquely together among corn-fields and orchards, or nestled at the foot of the wooded and vine-clad hills. Often arcaded frieze and Romanesque-arched portal tell of mediæval origin, for the whole length of the Rhine, once the highway of Europe, is rich in architectural curiosities and beauties, the outcome of the ardent Christianity that has ever flourished on its banks, and apart from the Gothic glory of Cologne and the monuments of Mainz, Bonn, and Coblenz, almost every village boasts some memorial of a deeply-religious past. The prevailing form being Romanesque, the interior of the churches is generally unpretending, but they are always well-kept, and the modern altars, of which the decorative part is often in dark wood picked out with gold, are always tastefully arranged with tall, green shrubs and freshly-cut flowers. Our Lady is generally represented after Deger's well-known picture, holding the Divine Child before her, His tiny arms outstretched as if inviting an embrace of infinite love, but in an attitude foreshadowing that on the Cross.

Many of the quaint, gabled houses bear the image of their patron saint enshrined in a niche above the door, and in the larger villages and towns, the statue of Our Lady often occupies the centre of the market place—while at the Apollinarisberg, that of St. Francis, raised aloft in colossal form upon a hillock, dominates river and country and hamlets. There is scarcely half a mile of road that is not sanctified by a wayside chapel sheltered under the fruit-trees, or a Calvary standing up in dark, sad relief against the yellow, terraced vineyards. Catholicity seems embedded in the soil here, the atmosphere is laden with the incense of peasants' prayers, and from the summits of the legend-crowned hills, the ruined castles of crusader-knights seem to overshadow the peaceful landscape with the lingering spirit of the ages of faith.

The banks of the Rhine are dotted over with convents, chiefly Ursuline and Franciscan of the Third Order, and it is very pretty to notice the sweet, confiding way in which the little village children run up to the good Sisters, as the latter wend their way on errands of mercy amongst them. They are evidently on the best possible terms together, and so also are priests and people as their mutual friendly greetings testify. All these sturdy, flaxen-haired peasant-folk are well-mannered and appear thoroughly well-to-do. Their ruddy, smiling faces wear an unmistakeable expression of contentment with them-

selves and their lot in life. Their little homes are clean and tidy, and their simple faith seems to have brought a material, as well as a spiritual, blessing with it, for the aspect of the richly-cultivated country, notwithstanding an indication here and there of the devastating touch of phylloxera, points, not only to the industry, but to the tranquillity and prosperity of its inhabitants. Among the deep foundations on which the greatness of the Empire is built up, this substratum of rural well-being is surely not the least important.

The *thoroughness* which is a characteristic feature of the slow, heavy German, observable alike in the performances of philosopher and of peasant, enters also largely into his conception of *Gottesdienst*, Divine Service, to which it gives a distinctly national colouring. The German is not satisfied with the contemplation of a great ecclesiastical function, or with mere presence at the Holy Sacrifice and the silent application of its fruits to his own special intention, he requires the active co-operation of his lungs with his heart, and this in union with his neighbour. As a result, the distinctive note of German church functions is their *congregationalism* and their ponderous length. It is no uncommon thing for the Sunday Mass at a village church to last two hours and a half, drawn out (over and above the exhaustive sermon) by an introduction and conclusion of vernacular prayers and a congregational accompaniment of chanted hymns. During the week-day Mass, generally at six o'clock, at which there is always a large attendance, the early morning stillness is broken by scores of lusty voices shouting forth their song of praise, generally in exact unison and with a correct intonation, but with a deafening clamour which, excepting a momentary interval, not always correctly timed for the Consecration, is kept up unremittingly throughout the Mass. A characteristic institution, apparently responding to the popular needs, is the afternoon devotion known simply as *Andacht*, which consists of a lengthy succession of Church prayers and litanies repeated by the congregation in the vernacular. It is rarely accompanied by Exposition or Benediction, and to those accustomed to the simple English or Italian Benediction Service seems unsatisfactory, stiff, and even tedious.

Contrasted with the enthusiastic southerner or the strongly individualistic Englishman, the German is apt to appear conventional at his devotions. The habit of discipline, which



is the key-note of the national existence, and the methodical instinct which is innate in the people, influence the expression of their piety and give it an excess of regularity, a *uniformity* that at first sight tends to impress one as controlling too far the impulses of individual feeling. It strikes one that everything is too orderly to be spontaneous. The German conducts himself at church as a soldier on parade; he kneels when his neighbours kneel, stands when they stand, he sings when they sing in well-practised unison, chants or murmurs in one voice with them the responses and common prayers. Every one displays a simultaneity of movement that appears almost automatic till closer observation reveals the deep individual earnestness that animates it, and the reverential fervour visible on each uplifted face reconciles one to the constant *uniformity* of action by interpreting it as a general *conformity* to a very high standard.

The Italian drops into a church when the mood takes him, often three or four times a day, falls on his knees in the middle of the nave, depositing with much clatter his tools or chattels beside him, mutters a *Pater* and *Ave* or Latin antiphon (for although his signature would probably be represented by a shaky, smudgy cross, he knows all his prayers correctly in the language of the Church), and then strolls back leisurely to his worldly affairs.

The German's devotions are necessarily less frequent because they are longer, and though his religion occupies quite as large a part of his life as the Italian's, his sense of the fitness of things impels him to relegate its practice to hours exclusively set apart for the purpose. He goes to church with due preparation at the stated hours of public worship when he takes his part with his neighbours in the common chorus, and chant, and response. To him his church is the mansion of his King, he enters it with befitting reverence, and his better self dominates him within its walls. To the Italian, a church is, primarily, the home of the poor. He himself is thoroughly at home there; not at all on his best behaviour, he is his own, true, natural self there. His religion is interwoven with the tissues of his daily life; he brings the thought of his faith into his family affairs, and the thought of his family affairs accompanies him to church. But he seems wholly bereft of that quality of veneration which his Teutonic brothers possess to such a large extent. He *coaxes* his God, has indeed been known to threaten Him, while the German's first impulse is to *praise* Him with an earnestness



that finds its vent in much noise, but which is the outcome of a very real adoration. Although one is sometimes inclined to wish that the national element was a little less accentuated in Catholic Germany by a diminished use of the vernacular in the Church services, and that these most devout and dutiful German sons of the Holy Father should become a little more *Roman* in their ways and manner, yet the difference is one of form rather than of matter, and serves to show that the arms of the Catholic Church are wide enough to embrace in her Unity all the national characteristics and individual idiosyncracies of her faithful children. The solemn chorus of German litanies, whether it peals among the palm-like columns of Cologne Cathedral or resounds through the simple Romanesque arches of a village church, is the expression of a profound and reverent piety that might serve as an example to the whole of Christendom.

M. MORE.

## *The Welfare of the Child.*

---

THE old Common Law of England, or that branch of it which relates to the custody of children, under which the paternal right is well-nigh absolute, has gradually undergone great modifications in its application. The solvents which have powerfully acted upon it have been, first, the power of the Crown, as *parens patriæ*, delegated to the Court of Chancery, the doctrines of which court, though itself no longer existent, are now to govern the decisions of all courts in cases relating to the custody of children; and secondly, public opinion which has operated both upon the Legislature and the judges, and the two-fold drift of which has steadily tended towards the abolition of technicalities, and towards the treatment of the child more and more as an individual having rights of his own, rather than as a member of the family, the head of which, in all questions of custody and education, was supreme.

To some of the Statutes which have of late years been passed on this subject, we have from time to time called the attention of the readers of *THE MONTH*. Our object in the present paper is to show the tendency of modern judicial decisions.

One of the greatest difficulties in the way of those who wish to save the children of the poor from Protestantism is found in the utter indifference of many parents as to what religion their children are taught, or whether they are taught any at all. The law is, generally speaking, fair and just, but it seems unreasonable to expect the court to enforce the right of parents who care little or nothing about it themselves.

The recent case of the *Queen v. M'Grath*, is a good illustration of the fact that the law will not blindly follow the rough and ready rule that a child is to be educated in the religion of its father.

The ages of the four children in question, three girls and a boy, varied from fifteen to six. Their eldest brother had, with his father's consent, been educated by Protestants in a Church of England school, and was in domestic service. He had made an affidavit that he was a Protestant, and

intended so to remain. The father had died in June, 1888, attended by a priest, and was buried as a Catholic, but during his life he appears to have been indifferent to religion and the religious education of his children. He did not express any wish on the subject, or appoint any guardian. After his death a Protestant lady interested herself in the family. The mother survived the father, but died in 1891, having by deed appointed this lady guardian of the four younger children. The eldest girl had been educated, partly at Catholic, and partly at Protestant schools; the two younger girls had been sent to a Catholic school, though they sometimes attended a Protestant Sunday school; at the time of the father's death they were at Nazareth House; the Protestant lady, however, subsequently removed them to a Church of England Home at Stockwell. The boy, six years old, was maintained at the expense of the same lady, but with a Catholic family; he attended first a board school and latterly a national school.

Mr. Justice North had refused to interfere with the guardianship of the infants, or to give any direction as to their education. The Catholic relatives now applied, but without success, to the Court of Appeal. The judgment of that court was delivered by Lord Justice Lindley to the following effect. The eldest girl was fifteen and would soon be able to earn her own living, she wished to remain where she was, and it was not the duty of the court to interfere with her. With respect to the others, the judges were of opinion that, as a general rule, the duty of the court towards a penniless child under the care of a legal guardian able and willing to maintain and educate it, was to leave it alone, unless it appeared to be for the welfare of the child that some other course should be taken. "The dominant matter for the consideration of the court is the welfare of the child. But the welfare of a child is not to be measured by money only, nor by physical comfort only. The word welfare must be taken in its widest sense. The moral and religious welfare must be considered as well as its physical well-being, nor can the ties of affection be disregarded. As regards religious education it is settled law that the wishes of the father must be enforced unless there is some strong reason for disregarding them. . . . The wishes of the father, if not clearly expressed by him, must be inferred from his conduct," but, "the law is not so rigid as to compel the court to order children to be brought up in the

religion of their deceased father regardless of the consequences to themselves." The Lord Justice then traced the history of the case and, referring to the indifference of the father as to the religious education of his children, said that to rely on the wishes, or supposed wishes, of such a father as a ground for bringing up some of his children in the Catholic religion rather than any other, was "to rely on a rotten reed." Even so his lordship thought it would not necessarily have followed that his religion was to be disregarded, "but," he concluded, "where, as here, the father is proved to have been indifferent whether his children are brought up Protestants or Roman Catholics, and where two of his children are of one of these religions already, and the others are being brought up in the same religion, it is not for their welfare that they should be educated in the other religion."

The two means by which a parent may seek the assistance of the law, in order to recover children which are wrongfully detained, are, by making them wards of court, or by applying for a writ of *habeas corpus*. With regard to the first of these remedies, although it is no doubt true that the Court of Chancery always had jurisdiction over every child in this country; yet it is no less true that that jurisdiction was so seldom exercised, unless the child had property, that its very existence in other cases was doubted. The cumbrous plan of paying money into court for the benefit of the infant, or the father declaring himself trustee for the child, had usually to be adopted, and a suit commenced for the administration of the fund. Thus, in one of the old cases, Lord Chancellor King refused to deal with a question of custody "in so summary a way as on petition," and said that the proper course was to file a bill. Now, however, it is settled law that although the court cannot do all that it would for a child who has no money, yet its arm is not shortened, and it will, where necessary or expedient, exercise the jurisdiction on the application of any person interested in any infant, and accept the child, if not in the full, still in a limited sense, as one of its wards. The application, moreover, may be made in a simple and comparatively inexpensive manner before a judge in chambers. Here is a great step towards the abolition of red tape and technicalities. But this is not all, for even on the old legal (as opposed to equitable) remedy of *habeas corpus* the same process of cutting down technicalities has been going on. As before mentioned,

the law relative to the custody of children is now to be administered in the same manner in all divisions of the High Court; but this provision of the Judicature Act has only recently been carried to its fullest extent upon *habeas corpus*. It was indeed acknowledged by the judges that the rules of equity should prevail in dealing with children, but as recently as 1888 there were dicta of more than one member of the Court of Appeal that the old rule as to the ages up to which the court would exercise the jurisdiction on *habeas corpus* was unaltered. That is to say, that although the jurisdiction over wards of court lasted up to twenty-one, yet, in *habeas corpus*, where children were not wards of court, the power over them ceased at fourteen in the case of boys, and sixteen in that of girls, and that although under those ages a child would be compelled to return to its parents if found in other custody, yet, over those ages, it would be allowed to go where it liked.

The two following cases show that the judges now refuse to be bound by any hard and fast rule as to age, either in favour of the parent or of the child, and that the rules of equity will now be fully applied although the case comes before the court on *habeas corpus*.

In the case of *Reg. v. Gyngall*, the mother through poverty had not been able to keep the child with her regularly, and consequently had placed her for long periods of time with other people, and her position in this respect did not seem to be improving, so that, in all probability, if the child had been restored to her, she would again have been obliged to place her with strangers. The girl had been with Protestants, and, although there appears to have been little or no attempt at proselytizing, yet she had taken to Protestantism. She was now fifteen, and of more than ordinary intelligence. The father was dead, and on the mother's behalf it was argued that the girl, being under sixteen, and no misconduct or abandonment of her right being suggested against the mother, her right to the custody of her daughter was absolute. The Court of Appeal, however, held that the welfare of the child was the main point to be considered, and that her own wishes should not be disregarded in ascertaining what was for her welfare. The child was already away from the mother, and it might have been very different if the court had been asked to take her away from a parent who already had the custody. In a year she would have reached the age of emancipation, and,

under all the circumstances of the case, the court was of opinion that it would not be for her true welfare to compel her, against her wishes, to leave the friends who made her happy and comfortable and return to her mother.

Here we see that, in spite of the old rule, the custody of a girl under sixteen was, upon *habeas corpus*, refused to the mother. In another recent case, where a boy was over fourteen, his wish as to the person with whom he should reside was not allowed to prevail, but he was handed over to his mother, contrary to his own desire. The Queen *v.* Lewis disclosed a very painful state of affairs, into the particulars of which it is not necessary for us to enter; suffice it to say that in that case the mother's claim to the custody of the children was, under the circumstances, stronger than that of the father, and she sought to recover the infants from him on *habeas corpus*. The Divisional Court ordered the children to be given up to her, notwithstanding the fact that the boy, over fourteen, objected to go to his mother, and said he wished to remain where he was. Lord Coleridge, C.J., said that, although the court was not constrained any more than it was before the Judicature Act to exercise its jurisdiction, yet that the control of the court was now extended, and if it appeared to the judges that their discretion ought to be exercised in a certain way, it was their duty so to exercise it.

The cases to which we have referred show the broad view the court will now take of the matter; carefully considering all the circumstances, and, while not forgetting the rights of parents and guardians, still keeping steadily in view, as the main point, what it considers to be "the welfare of the child." With respect to religion, the court looks upon all forms of Christianity as equally beneficial, and in a country like England, divided by countless forms of religious opinion, we cannot expect more for the Catholic religion than that it should have fair play, and be treated as on an equal footing with the sects; and this equality is most fully and conscientiously maintained by our judges. It may safely be stated that, as a general rule, the children of a fairly good Catholic father have every chance of being educated in his faith, and, if the law were better known, many children in danger of being lost might be saved; the difficulty is to save children from the results of the indifference of their parents.

WILLIAM C. MAUDE.

## *Mr. Rider Haggard and the Immuring of Nuns.*

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IN the month of June, 1892,<sup>1</sup> an article was printed in this magazine which discussed at length the oft-repeated calumny that nuns who proved unfaithful to their vows were put to death by being built up living into a niche in the wall. The writer of that article was not so foolish as to suppose that a belief dear to the heart of every true Protestant, could be destroyed by any force of reasoning or any evidence of facts. Still he ventured to express a conviction that the fable was sinking gradually lower in the scale of respectability, and that the time was not far distant when it would no longer be heard of outside the precincts of Exeter Hall and the meetings of the Protestant Alliance. Prejudice, however, dies hard, and that favourable anticipation has not been justified by the event. During the course of last year one of the most popular novelists of the day has lent his name to a singularly gross and offensive repetition of the libel in question. Seeing that the writer commands a large public, and that it is his pleasant conceit to pose as a man of erudition and a serious student of history, his attack may be considered of sufficient importance to warrant our returning to the subject.

And here it may not be out of place to remark how very patiently, not to say tamely, the Catholic body are content to sit down under so exasperating a calumny. The story which contains it has appeared in one of our leading illustrated newspapers, and is thus spread broadcast over the United Kingdom, and indeed wherever the English language is spoken. There must, no doubt, be many Catholics connected with the publishing offices of *The Graphic*, and there must be thousands of Catholic households into which it finds its way, yet the proprietors apparently have no fear that they will injure their pockets in any way by the publication of this scandalous

<sup>1</sup> This article, with some additions and emendations, was afterwards printed as a pamphlet by the Catholic Truth Society, under the title of *The Immuring of Nuns*.



travesty of history. Whether it be Christian meekness, or whether it be silent contempt, or whether it be the apathy which results from disregarded protests, there is no probability that Catholics will be roused to take serious action of any kind. But one cannot, at the same time, help reflecting that a less indifferent attitude seems somehow more successful in making itself respected. The Jewish community in England are numerically a mere handful as compared with the adherents of the Catholic Church. Yet no journal with a circulation to lose would accept a novel which contained, as one of its leading incidents, a highly-coloured description of the crucifixion of a Christian child in a Jewish synagogue, together with the public avowal of the author's belief in the reality of these occurrences. If any newspaper were so venturesome, machinery would assuredly be set in motion to make the proprietors repent their rashness.<sup>1</sup>

I am not in the least concerned here either to affirm or to deny the truth of the alleged Jewish practice of immolating Christian children. Probably nine Englishmen out of ten regard it as a fable. But this may be said with confidence, that the evidence for the Jewish murder of Christian children is simply overwhelming beside any evidence which ever has been adduced or is ever likely to be adduced for the walling-up of nuns. In the former case we have at least full details of names, place, and time, we have judicial inquiries, we have the record of contemporary documents, we have the testimony of witnesses on oath.<sup>2</sup> In the case of the Religious no one pretends to tell us either who, or when, or where. The monastic chronicles themselves are silent, no trace remains in the *comperta* of episcopal visitations, no statutes are quoted from the constitutions of any Order enjoining such a penalty. The boldest attempts to justify the charge do not go beyond a vain appeal to tradition or the ill-attested discovery of human remains in the walls of some ruined religious building.

But to return to the subject more immediately under discussion. The name of Mr. Rider Haggard will be familiar

<sup>1</sup> One need not have the least sympathy for the ridiculous exaggerations of Drumont's *France Juive* to be conscious that Jewish influence even in literary matters is a factor not to be neglected. Any one who may have followed in the pages of *The Athenaeum* the correspondence which attended the publication of the Second Edition of the late Mr. King's *Gnostics and their Remains* some years since, will understand what I mean.

<sup>2</sup> It would be useless to give references. Some idea of the bibliography of the subject may be obtained from Dr. Jessopp's article in the *Nineteenth Century* for May, 1893, on St. William of Norwich.

to most of my readers, as that of a writer of fiction who, a few years since achieved a sudden reputation in a somewhat new province of his art. Opinions may differ considerably as to the literary merit of the work he has produced, but his books, though declining in popularity, are still widely read. Mr. Rider Haggard, it would appear, chafes a great deal under the restrictions imposed upon the novelist by English respectability. Being thus limited, as the Schoolmen say, *intensive* in depth of passion, he seems to have sought consolation *extensive* in width of range. He has surveyed mankind from China to Peru, at one time unveiling the mysteries of the South African continent, at another depicting contemporary society in England and in the colonies, at another projecting himself into the life of ancient Egypt at the voluptuous Court of Queen Cleopatra. For his last excursion Mr. Rider Haggard has chosen a new scene and a new period. He has elected to make his readers acquainted with the condition of Mexico, social, political, and religious in the latter half of the sixteenth century. His novel under the title of *Montezuma's Daughter* has been running its course in *The Graphic* in the latter half of 1893, and has lately been published in book form by Messrs. Longmans.

It will not be necessary to follow Mr. Rider Haggard through the various incidents of this unwholesome story. From every point of view it presents abundant matter for criticism, of which, to say the truth, the reviewers have not been slow to avail themselves, but my present attack is directed against the atrocious invention which forms the subject of its ninth and tenth chapters. The hero of the story, Thomas Wingfield, following for the time being the profession of a physician in Seville, receives one night a mysterious lady visitor. She is wrapped in a dark cloak, which after some hesitation she draws aside, "revealing the robes of a nun."

"Listen," she said, "I must do many a penance for this night's work, and very hardly have I won leave to come hither upon an errand of mercy."

The errand of mercy is to procure "a poison of the deadliest," the purpose of which his visitor thus explains.

"In our convent there dies to-night a woman young and fair, almost a girl indeed, who has broken the vows she took. She dies to-night with her babe—thus, oh God, thus! by being built alive into the foundations of the house she has disgraced. It is the judgment that has been passed upon her, judgment without forgiveness and without

reprieve. I am the abbess of this convent—ask not its name or mine—and I love this sinner as though she were my daughter. I have obtained this much of mercy for her because of my faithful services to the Church and by secret influence, that, when I give her the cup of water before the work is done, I may mix poison with it and touch the lips of the babe with poison, so that their end is swift. I may do this and yet have no sin upon my soul. I have my pardon under seal. Help me, then, to be an innocent murderess, and to save this sinner from her last agonies on earth."

It is hardly worth while to enter further into the preposterous details of this interview. The victim has been condemned to death by those in the Church "whose names are too high to be spoken," but a certain mitigation, *i.e.* the poison already referred to, has been permitted by them, and it is superintended by "a tall priest whose face I could not see, for he was dressed in the white robe and hood of the Dominicans that left nothing visible except his eyes"! Then there is a highly sensational description of the closing scene, in which there are "mason monks" mixing a heap of steaming lime, a niche "in the thickness of the wall shaped like a coffin set upon its smaller end," a procession of eight veiled nuns chanting "a Latin hymn for the dying," the erring Sister herself "wrapped in grave-clothes over which her black hair streamed"—the raven tresses were to be expected of course as an artistic necessity, but they must have grown very rapidly since the lady's profession a short time previously—and finally, in addition to the Dominican mentioned above, a black-robed priest "with a thin half-frenzied face" bearing a crucifix. All this is very harrowing, and it is quite a relief to know that, as the police reports say, the prisoner was accommodated with a chair.

The dread rites proceed, and Mr. Rider Haggard is even kind enough to supply a kind of liturgical formula for the function. "You are doomed," says the Dominican, rehearsing the sentence which had been previously passed upon her, "to be left alone with God and the child of your sin, that He may deal with you as He sees fit."

But the reader will have had enough of this. I will only inflict upon him one more incident, the gross offensiveness of which even Mr. Charles Kingsley would have shrunk from.

Then the black-robed, keen-eyed priest came to her, and, holding the cross before her face, began to mutter I know not what. But she rose from the chair, and thrust the crucifix aside.

18 *Mr. Rider Haggard and the Immuring of Nuns.*

"Peace!" she said. "I will not be shiven by such as you. I take my sins to God and not to you—you who do murder in the name of Christ."

The fanatic heard and a fury took him.

"Then go unshriven down to Hell, you ——!" and he named her by ill names and struck her in the face with the ivory crucifix.

Really Mr. Rider Haggard has missed his vocation. As a writer of transpontine melodrama of the "unhand me, ruffian!" type, he would have achieved even greater things than as a novelist.

At the foot of the page upon which all this is found there is appended a note in the following terms :

Lest such cruelty should seem impossible and unprecedented, the writer may mention that in the museum of the city of Mexico he has seen the dessicated body of a young woman which was found immured in the walls of a religious building. With it is the body of an infant. Although the exact cause of her execution remains a matter of conjecture, there can be no doubt as to the manner of her death, for, in addition to other evidences, the marks of the rope with which her limbs were bound in life are still distinctly visible. Such in those days were the mercies of religion !

Shortly after the appearance of this instalment of the story, Mr. James Britten, the Secretary of the Catholic Truth Society, addressed to the office of *The Graphic* a letter of remonstrance. This letter having been forwarded to Mr. Rider Haggard, elicited in due time a reply from that gentleman.

Nothing, he declared, would grieve him more than to give pain to any member of the Roman Catholic faith, but the cruelty of the Inquisition was notorious, and the immuring of nuns in the middle ages was a fact which till then he had never heard disputed. Further, Mr. Haggard adduces, in addition to the Mexican instance referred to in his footnote, first a house near Waltham Cross, formerly a religious building, where skeletons had been found walled-up, secondly, the Coldingham case, cited in the notes to *Marmion*, and thirdly, the case of the Abbot of Clairvaux, fined by the Parliament of Paris "for causing the death of a prisoner in an *in pace*."

In answer to this Mr. Britten again wrote, forwarding a copy of the pamphlet on *The Immuring of Nuns* by the writer of this article, as well as a similar essay on *The Inquisition* by the Rev. Sydney F. Smith. These papers, upon Mr. Britten's

renewed instances, were tardily acknowledged, but Mr. Rider Haggard, while admitting that such cases of immuring were perhaps rarer than he had supposed, reaffirmed his former allegations, laying stress particularly upon the skeletons he had seen in Mexico, and the verdict of the Parliament of Paris. Since then the novel has been republished in book form without any modification, just as it stood in *The Graphic*.

Now it is very desirable that the reader should have clearly before his mind the precise question in dispute. Mr. Rider Haggard has formulated against the Religious Orders of the Catholic Church a definite charge of walling-up alive offenders against their statutes. He does not merely accuse them of treating with cruelty the prisoners in their punishment cells. No one denies that there were such cells for the confinement of refractory monks and nuns. Neither does he content himself with the statement that these prisoners were sometimes immured for life in dungeons, the entrance of which was partially closed with masonry. This would be a comparatively pardonable inference from certain expressions found in monastic statutes and ancient records, though I must protest, as the result of a tolerably thorough examination of the question, that I have not yet seen any satisfactory evidence for the belief that either monks or nuns or prisoners of the Inquisition were ever really *walled-up*. But the charge which Mr. Rider Haggard does make is that Religious Superiors whether of monks or nuns were in the habit of inflicting capital punishment upon their subjects by a death of peculiar atrocity, building them up into a coffin-shaped niche, where life must have been extinct from suffocation in the course of a few hours at furthest.

Now it will not be expected that I should repeat here *de capo* the examination of the general question already undertaken in my former article. To any one who honestly looks into the matter it will be clear that no statutes of any Religious Order have yet been brought forward which prescribe such a punishment, that no contemporary records speak of its infliction, that no attempt is made to give details of person or time, that the few traditions which speak of the discovery of walled-up remains crumble away the moment they are examined, that the growth of the tradition itself can be abundantly accounted for, that the few historians or antiquaries of repute, whether Catholic or Protestant, who have looked into the matter, either avowedly disbelieve the calumny or studiously refrain from repeating it. Hence, though Mr. Rider Haggard may in the first instance have

been misled by common report, still, if now, after the evidence was laid before him, he has reprinted his book without correction or modification, he himself ought to be prepared to substantiate his charges. Let us see how utterly inadequate is the evidence he adduces for such a monstrous accusation.

And first of all we may consider what this writer professes to have seen in the museum of Mexico—the dessicated remains of a woman and her infant “found immured in the walls of a religious building.” I have written to a friend in Mexico asking for information, but unfortunately my inquiry has not as yet met with an answer. It is one of the iniquities of such libels as that we are discussing, that even though the falsehood be patent, almost infinite trouble must be gone through before the lie can be successfully unravelled. If some malicious enemy of religion chooses to show a heap of children’s bones to an English traveller, and tells him that these are the bones of infants made away with by the nuns of a convent in some far-off town of South America, what, I may ask, can be done to answer him? You may write to the place in question, if you are fortunate enough to know any one there to whom you can address a letter. If, again, it should happen that your friend can afford to devote time to the inquiry, if he should chance to be a man who is able and willing to make such an investigation, he may go about, he may inquire here and there, and examine such records as are accessible; and even then, after endless trouble, the sum-total of his report will be that he has failed to find any justification whatever for the statement which has been made. For this reason it seems to me that we are warranted in treating all such appeals to what has been seen or done in a country like Mexico, as mere cowardly slander, until the facts alleged can be authenticated in such a way that investigation is rendered possible. If Mr. Rider Haggard had given his readers an extract from the official catalogue of the Museum of Mexico in the original Spanish, or if he had named the authority who vouches for the discovery of the remains, he would at least have done something to shift the responsibility of the libel from off his own shoulders; as it is, it is to him we look for an answer. Now let me set down in brief a few of the points upon which we may reasonably require to be assured, before that which Mr. Haggard alleges he saw in the Museum of Mexico can come into court at all as evidence for the prosecution. Mr. Haggard’s bare word cannot give credit to such an improbable tale while we lack :



(1) Proof that Mr. Rider Haggard's memory or imagination is not playing him tricks ; in other words, proof that the remains were really there and have been seen by other travellers besides himself.

(2) Proof that Mr. Haggard's knowledge of the language is such as to secure him from misunderstanding his informant, or the ticket which described the nature of such remains. One cannot easily forget Cardinal Newman's story, in his *Present Position of Catholics*, of the clergyman who vowed he had seen a price-list of sins in the Cathedral at Brussels. On inquiry, it turned out to be a list of the charges made for the use of chairs.

(3) Proof that supposing the remains are really there and really profess to be what Mr. Rider Haggard alleges, they were ever found in the wall of a religious building, and that they have not been picked up in an old curiosity shop and ticketed, upon mere conjecture, by the malicious anti-clericalism of some museum official.

(4) Or proof that, granting the bodies were found immured in "a religious building," as the note states, this religious building was a Christian convent and not an Aztec edifice dating from before the conquest.

Lest this suggestion may seem extravagant, let me explain that there existed an institution in ancient Mexico very similar to that of the Vestal Virgins in Rome. "Young girls," says one of the highest authorities on Mexican antiquities, "devoted themselves by vow to a life of penance or continence for one or more years. They were called Cihuatlamacazque or Cihuacuaquilli. Any offence against chastity was infallibly punished by death."<sup>1</sup> I have no evidence that those who broke their vow were despatched by being walled-up, but on the other hand a most reliable historian says of the human sacrifices which were so incredibly frequent, "The greater part of the victims died under the knife, but some were burnt alive, and children were often buried alive or drowned."<sup>2</sup>

(5) We have every right to ask for evidence that the woman was walled-up living. Mr. Rider Haggard apparently considers that he has such conclusive evidence. The rope-marks on the ankles, he asserts, clearly show that the poor creature must have been immured in a niche living. By what logical process he arrives at that conclusion it beats my powers of analysis to

<sup>1</sup> Orozco y Berra, *Historia Antigua y de la Conquista de Mexico*, vol. i. p. 216.

<sup>2</sup> Hubert Howe Bancroft, *History of the Mexican People*, p. 42.



discover. A dead body which had to be propped up upright in a niche might easily have its ankles tied, a living person would be compelled to stand up straight, and the tying of the ankles would only very much increase the difficulty of her keeping herself from falling forwards. However, waiving that point, there are surely other reasons, besides violence before death, which might lead to the ankles of a corpse being tied together. What if the lower limbs had accidentally been allowed to stiffen into some distorted position, would it not be natural to tie the ankles in laying out the body? Or again, the marks might be those of fetters worn during life, perhaps for many years. I do not consider, therefore, that there is so far any valid ground for supposing that the woman was buried alive.

(6) But, given even the fact that there is evidence of a tragedy and that the body was undoubtedly built up when yet alive, we are still only at the threshold of our inquiry, for there is not a syllable of evidence to show that the remains were those of a nun put out of the way by her fellow-Religious. On the contrary, the very circumstance, which might at first sight seem most suspicious, the presence of the remains of a child in the same niche, is to my thinking one of the strongest arguments against such a presumption. To take the life of a nun for a grave moral transgression might be conceivably defended as an act of judicial authority, but to include an innocent child in the punishment could never have been regarded as anything else but murder. Moreover, in all these cases the nuns are supposed to have acted under priestly guidance, generally that of Dominicans, and in no country were theological principles more rigidly adhered to than in Spain during the sixteenth century, and among no Order more than among the Friars Preachers. Any participation, therefore, in such a tragedy as Mr. Rider Haggard describes, would have been known to involve irregularity and *suspensio a sacris*. Mr. Rider Haggard is surely aware that even the august tribunal of the Holy Office never claimed power to inflict a death-penalty by the hands of its own officials. The prisoner was invariably handed over to the secular arm both for sentence and execution. Is it likely that powers would have been left in the irresponsible hands of every convent abbeß which were not enjoyed by the Grand Inquisitor himself?

From whatever point of view we regard it, it only becomes more evident that nothing but the clearest evidence, nothing short, in fact, of the testimony of eye-witnesses can justify us

in accepting any alleged case of immuring. As I have argued in my earlier article, the mere discovery of human remains is utterly untrustworthy. In almost every part of the globe bodies have been found enclosed in masonry in accordance with a world-wide superstition familiar to students of folk-lore.<sup>1</sup> The imagination of the people amongst whom such vague traditions lie dormant is easily roused to connect them with any unpopular or mysterious object, and though Religious incur the largest share of these calumnies, they do not enjoy a monopoly.

It is not [says a reviewer of Mr. Tylor's *Primitive Culture*, in *Nature*, June 15, 1871] many years since the present Lord Leigh was accused of having built an obnoxious person—one account, if we remember right, said eight obnoxious persons—into the foundation of a bridge at Stoneleigh. Of course so preposterous a charge carried on its face its own sufficient refutation, but the fact that it was brought at all is a singular instance of the almost incredible vitality of old traditions. The real origin of a story such as this dates from a time when the foundations of bridges, palaces, and temples were really laid upon human victims, a practice the tradition of which is handed down to us in the romance of Merlin, and a thousand other legends, to be finally embalmed for the benefit of posterity in Mr. Tylor's volumes.

More recently a writer in the *Academy* speaks in much the same terms.

It has been a common superstition in almost all parts of Europe that a new building can only be made secure by sprinkling the foundation with a child's blood, or by walling-up a girl alive in the masonry.<sup>2</sup>

But even this is only half the case, for the practice of upright interment has been familiar at many different epochs and in many different places. Whole families, it would seem in England, have retained this tradition, like the Pagets of Drayton, the Hobarts at Blickling, the Claphams, the Mauleverers,<sup>3</sup> &c. On the other hand many of the cases are isolated and apparently motiveless. There is one such burial in an upright position at Breckles chancel in Norfolk,<sup>4</sup> where a nearly circular slab is let into the wall with the motto :

Stat ut vixit erecta.

I have spoken before of the burial customs of the Capuchins, but I cannot resist the temptation of setting down a fuller

<sup>1</sup> See Liebrecht's *Zur Volkskunde*, pp. 284—296 ; *Revue Celtique*, vol. iv. p. 120.

<sup>2</sup> *Academy*, July 31, 1886, p. 73.

<sup>3</sup> See *Notes and Queries*, 4th Series, vol. v. p. 249.

<sup>4</sup> *Ibid.* p. 349.

## 24 *Mr. Rider Haggard and the Immuring of Nuns.*

account of one of these strange crypts, given by a bigoted Protestant at the end of the last century.

This morning we went to see a celebrated convent of Capuchins, about a mile without the city. It contains nothing very remarkable but the burial-place, which is indeed a great curiosity. This is a vast subterranean apartment, divided into large commodious galleries, the walls on each side of which are hollowed into a variety of niches, as if intended for a great collection of statues; these niches, instead of statues, are all filled with dead bodies set upright upon their legs, and fixed by the back to the inside of the niche: their number is about three hundred. They are all dressed in the clothes they usually wore, and form a most respectable and venerable assembly. The skin and muscles, by a certain preparation, become as dry and hard as a piece of stock-fish, and although many of them have been here upwards of two hundred and fifty years, yet none are reduced to skeletons; the muscles indeed appear in some to be a good deal more shrunk than in others, probably because these persons had been more emaciated at the time of their death.

Here the people of Palermo pay daily visits to their deceased friends, and recall with pleasure and regret the scenes of their past life; here they familiarize themselves with their future state, and choose the company they would wish to keep in the other world. It is a common thing to make choice of a niche, and to try if the body fits it, that no alterations may be necessary after they are dead; and sometimes, by way of a voluntary penance, they accustom themselves to stand for hours in these niches.<sup>1</sup>

It seems clear from this that not only Religious, but secular persons were often buried in this way. The same thing is attested by another writer in *Notes and Queries*, who tells us that: "Besides the friars and those who have chosen to be buried in the habit, there are members of other monastic societies and ladies in full dress."

But to return to my more immediate subject. When Mr. Rider Haggard, after perpetrating the libel complained of, learnt, to his great surprise, from the Secretary of the Catholic Truth Society, that Catholics were unreasonable enough to deny and resent such charges, he naturally began to bethink himself how he might justify the accusations he had made. The *Encyclopædia Britannica* is a very convenient storehouse of information, and in an article on "Monachism," by that eminent canon-lawyer and veracious historian, Dr. R. F. Little-

<sup>1</sup> P. Brydone, F.R.S., *Tour through Sicily and Malta*. Two vols. London, 1774. Vol. ii. p. 107.

dale, Mr. Haggard lighted upon some useful references. He found there that in 1763, the Parliament of Paris fined the Abbot of Clairvaux forty thousand crowns for causing the death of a prisoner in an *in pace*. That Mr. Rider Haggard derived his information from this source, appears first from the coincidence that he, like Dr. Littledale, speaks without italics of the "Parlement of Paris;" and secondly, from the fact that, in borrowing his information from Dr. Littledale, he has also borrowed one of those characteristic inaccuracies which invariably attend the citations of that author. The fact is, Dr. Littledale, in his article on Monachism, has borrowed largely, need it be said without acknowledgment, from the article, "Religieux," in the *Dictionnaire Universel* of Larousse. That writer, a bitter enemy of religion, states correctly that the *Abbaye* of Clairvaux was condemned to pay a fine of forty thousand crowns for the Religious for whose death the monastery was held responsible. Dr. Littledale has translated the word *Abbaye* Abbot, even in spite of the feminine participle which follows, and Mr. Rider Haggard, suspecting nothing, has copied his mistake.

And here I cannot refrain from a word of comment upon the *mala fides* which has recourse to a writer of the type of Larousse for information about the discipline of the Catholic Church. In this same article, "Religieux," the author, after insinuating the existence of a widespread corruption among the convents of the eighteenth century, goes on to declare that this state of things was by no means new, but had existed among Religious from the beginning. Even in the time of St. Basil, he says, we find him inveighing against the license of the monasteries; and St. John Chrysostom would have had nuns who broke their vow of chastity not only put to death, but even cut in two, or buried alive with the partner of their crimes. Most pious Anglicans, I fancy, will be somewhat shocked to find St. John Chrysostom in company with the fanatical abbots and abbesses who wall-up their Religious alive. But French rationalists are so wanting in discrimination, they never know where to draw the line.

Of course the great orator's words do not really bear the meaning attributed to them. In the heat of his indignation, he undoubtedly says that incontinent Religious *deserve* to be sawn in two, or buried alive, just as a political speaker, or pamphleteer, at the present day may sometimes say of his opponents

that hanging is too good for them. But the Saint makes it clear, a few sentences lower down, that he has no more idea of his suggestion being acted upon than the modern politician has. "We cannot act as Phinees did," he says, referring to Numbers xxv. 14, "it is not permitted to us to seize the knife (*οὐ γὰρ ἐφέλται ἀρπάσαι μάχαιραν*) and transfix such offenders with the spear. We endure the same provocation, but we do not take the same action. We find relief for our anguish in other ways, by our sighs and tears."

But to return to the case of the monks of Clairvaux. Mr. Rider Haggard, after being confronted with the Catholic Truth Society's pamphlet, sees it expedient to throw overboard the nun of Coldingham, but he falls back upon the French example. "I dare say," he is good enough to own in his second letter to Mr. Britten, "that cases of immuring were rarer than is supposed, but that they existed, the instance of the fining of the Abbot of Clairvaux, after due investigation by the Parliament of Paris, seems to prove conclusively."

Mr. Haggard, as I have said, obtains his information about this judicial investigation of the Parliament of Paris from Dr. Littledale in the *Encyclopædia*. Dr. Littledale has borrowed it from Larousse. Larousse in turn has taken his brief account of it verbatim from M. Paul Boiteau, who in his work, *L'État de France en 1789*, writes thus: "En 1763, l'Abbaye de Clairvaux était condamnée par le Parlement de Paris à 40,000 écus d'amende pour avoir *laissé périr* des religieux dans les culs de basse fosse d'un *in pace*." In other words, the monastery of Clairvaux collectively was fined by the then Parliament of Paris for having allowed some Religious to die, presumably of neglect, or insufficient nourishment, in the dungeons of the monastery prison. Now I am not concerned here to defend in any way the action of the Superiors of the abbey. The neglect which resulted in the death of the Religious confined in the punishment cells, may have been cruel and inhuman in the extreme, or the whole accusation may have been a mere pretext to vex and extort money from a wealthy abbey, while serving the political ends of the Parliament. This at least may be said, that the temper of the Parliament in 1763, the year of the expulsion of the Jesuits, and devoted to one long campaign against the Religious Orders, was such that they would have jumped at any opportunity of raising a scandal. Be this as it may, it is clear that, even on the showing of two rationalists like Larousse and

Boiteau, it is not pretended that any monk was walled-up, in the sense of Mr. Rider Haggard. One may feel an absolute certainty that a writer like Boiteau would never use such a phrase as *laisser périr*, if there was any evidence that the murderous act had been committed of bricking a monk up in a niche.<sup>1</sup>

I may add that no walling-up in Mr. Haggard's sense can be inferred from the use of the term *in pace*. This is evident for instance from the line of Victor Hugo quoted in my former article:

Il faudrait  
Dit l'enfant Ruy, trouver quelque couvent discret  
Quelqu' *in pace* bien calme où cet enfant vieillisse.

Children do not live to old age in a niche.

Passing over the Coldingham case already fully discussed in the paper several times referred to, we come to the "house near Waltham Cross that was once devoted to religious purposes." "Here," says Mr. Haggard in the first of his letters, "I was shown a dungeon in which, I am informed, the skeletons of two women have been found walled-up, and with them an earthenware pitcher." Now I have taken some pains to see if anything could be discovered about this curious find near Waltham Cross, but I have neither read nor heard of anything which in any way corresponds to Mr. Haggard's description. On the other hand, I have come across an account of human remains being discovered at Waltham about a mile distant, and dissimilar as the facts are to those narrated by Mr. Rider Haggard, I am strongly inclined to believe that his story has no other foundation.

In the month of June some workmen engaged in excavating for the basement of a building to be erected on the east side of the Harp Inn, Waltham Abbey, disclosed several human skeletons, some of which were buried in so peculiar a manner that I wish to know if any of your readers can give the possible reasons for such a mode of sepulture.

The massive foundations of the south boundary-wall of the abbey grounds abutting on the main road were laid bare, and showed that the Harp Inn and the buildings just taken down were within the boundary of the ancient cemetery belonging to the abbey, the remainder still forming the churchyard. . . . About six feet from the foundations of the south wall a perfect skeleton was uncovered, lying nearly due east and west. It was surrounded with lime, retaining its whiteness and friableness. About twenty feet from this spot, towards the abbey, a

<sup>1</sup> I hope that at some future time, through the kindness of a friend in Paris, I may be able to give the true history of this sentence of the Parliament, from documents in the national archives.

new well has been dug. When about six feet six inches deep, the workmen came upon three stakes, when, proceeding cautiously, they discovered that these stakes had been driven through three bodies which were lying almost entirely within the circumference of the well, the heads towards the north-west.

The writer gives some further details and adds :

Other skeletons were also found beneath the site of the demolished buildings, and within the boundary-wall ; but there were no traces of coffins or anything to indicate the period of interment.<sup>1</sup>

It may seem to some readers rather outrageous to identify the discovery of these skeletons within the precincts of the old abbey buildings with Mr. Rider Haggard's story of the skeletons walled-up "in a house formerly devoted to religious purposes." But great is the power of the imagination, especially the trained imagination of an historical novelist. In any case, if Mr. Rider Haggard feels himself aggrieved, he has an easy remedy. Let him give references to some reliable contemporary account of the discovery—such things do not take place nowadays without getting into the papers and being discussed in the archæological journals. It is not a little surprising that when Mr. Rider Haggard has such a first-class example of immuring under his very nose, so to speak, he should go all the way to Mexico for an instance to justify a scene which after all is supposed to have taken place in Europe. Moreover, I am quite sure that the publication of the details would be very acceptable to many antiquaries who, like Mr. James Parker, Mr. Mackenzie Walcott, Archdeacon Churton, and Mr. Peacock, have sought in vain for any more palpable traces of immured nuns than those supplied by the Abbey of Coldingham. Only a few years ago, a question was printed in *Notes and Queries*<sup>2</sup> asking for justification for the belief that apostate nuns were walled-up alive. Among all the collectors of out-of-the-way information who contribute to that periodical, only one answer was sent in, and this consisted in nothing more than a reference to the familiar Coldingham story. Six months later the same correspondent sent a quotation from Lord Malmesbury's *Memoirs*, from which it appeared that some mummified remains had been seen by Lord Malmesbury in "the church at Arezzo," which he believed to be those of

<sup>1</sup> *Notes and Queries*, September 21, 1867.

<sup>2</sup> January, 1886.



a man who had been walled-up alive.<sup>1</sup> With regard to this, I will content myself with remarking that one would hardly expect immured monks to be exposed for inspection in a cathedral, while on the other hand there are well-known instances of dessicated bodies being left open to view in that way—the corpse (*salma*)<sup>2</sup> of Estore or Astore Visconti, who was killed in a duel in 1413, still standing upright in the churchyard wall beside the Cathedral of Monza, is a case in point.

And here we may leave the question. Enough has been said to show the utter worthlessness of the evidence on which it has been sought to justify a gross and offensive libel. If at any future time new proof should be adduced, the case may then be reopened, but for anything which has ever been written on the subject by the assailants of nuns up to this present, it seems to me that their case lacks even that *prima facie* plausibility which entitles them to ordinary courtesy. Mr. Rider Haggard, as a teacher of history, perhaps hardly expects to be taken seriously. In Mr. Oscar Wilde's clever paradox on "The Decay of Lying," it is said of him that "though he has or had once the makings of a perfectly magnificent liar, he is now so afraid of being suspected of genius, that when he does tell us anything marvellous, he feels bound to invent a personal reminiscence, and to put it in a footnote as a kind of cowardly corroboration."<sup>3</sup> *Ridentem dicere verum quid vetat*. Perhaps this is after all the most charitable explanation of Mr. Haggard's footnote about the Museum of Mexico. Yet, though he hardly expects himself to be believed, he is bound to remember that thousands *will* believe him and that thousands more will be encouraged in their feelings of bitter prejudice against a class of noble Christian women, the heroism and innocence of whose lives may put us all to shame.

HERBERT THURSTON.

<sup>1</sup> Vol. i. p. 181, see *Notes and Queries*, July 10, 1886. Lord Malmesbury says nothing about the remains being those of a *monk*, but the correspondent who sends the quotation of course takes that for granted.

<sup>2</sup> See Amati, *Dizionario Corografico dell' Italia*, vol. v. p. 430. A modern traveller describes these remains as a sort of natural mummy.

<sup>3</sup> *Nineteenth Century* (1889), vol. xxv. p. 38.

## *Vesalius the Anatomist.*

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*Vivitur Ingenio, cætera mortis erunt.* So wrote Vesalius, in 1542, when the noontide sun of his fame shone bright upon him, and the sentence may well stand to-day as a text before the record of his life. For his genius still lives, and shall live, in its effects, but the memory of the work he did and even of his name is passing from the thoughts of men.<sup>1</sup> And yet his story is one imbued with a spell of infinite variety and full of interest and charm no less than of teaching. Indeed, the tale has been already told by three English writers,<sup>2</sup> of whose style, at least, it may be said that it touched nothing which it did not adorn. But in an historical narrative there is something which is of far greater importance than style, I mean accuracy and truth, and as recent researches have put a different aspect upon the life of this great man from the one generally received, it may not be out of place to tell his story once more.

Andrew Vesalius was born at Brussels on the morning of the last day of December, 1514. The family name was Witing, but his forefathers, from long residence in Wesel, a town in the Duchy of Cleves, had taken the designation, "Von Wesel," which was Latinized into Weselius or Wesalius, and became in classical form Vesalius. His immediate ancestors had distinguished themselves in no mean way as physicians, and his father held the position of Court apothecary to Charles V., then in his minority. In the family there were two other children, Francis, who became a lawyer, and finally a doctor; and a sister, who afterwards married the burgomaster of a Dutch town. It appears that the Court apothecary lived in the Palace buildings, and here, accordingly, Andrew spent his early

<sup>1</sup> There is no separate article upon Vesalius in such well-known Encyclopædias as the *National*, or *Chambers'*, or the *Britannica*.

<sup>2</sup> Professor H. Morley, "Anatomy in Long Clothes," in *Fraser's Magazine*, vol. 48; C. Kingsley, "Vesalius the Anatomist," in his *Historical Lectures and Essays*, 1880; and Dr. B. W. Richardson, "Vesalius and the Birth of Anatomy," in the *Asclepiad*, 1885.

youth. While still of tender age, probably about his seventh or eighth year, he was sent to Louvain, where there was a University second only in importance to Paris. Of his life here we know very little, but the teaching of Latin and Greek was a strong point at Louvain, and in these languages, as well as in the study of physics, he became very proficient. It is related that even at this time the bent of his mind was clearly shown, as he felt a great attraction to the dissection of cats, dogs, rabbits, and other animals whose bodies came in his way.

At length, in 1532, his preliminary studies were finished, and he went to Paris to begin the study of medicine. This University had a very great reputation at the time, but the facilities for medical teaching were very meagre indeed. Surgery was almost wholly neglected as being beneath the dignity of medical men; and medicine fared but little better, as the teaching in it was confined to the expounding of the books of Hippocrates, &c., with, in addition, some very slight practical work at an hospital. With anatomy the case was similar. One of the chief requisites for a professor of this science was a thorough knowledge of Latin and Greek; indeed both Sylvius and Guinterius, famous Parisian anatomists of that day, had previously been teachers of classics. In the anatomical lecture-room the professor sat in the rostrum and read out a portion of the works of Galen, to which he added annotations and explanations whereby the text might be rendered more intelligible to the students. From time to time the lectures were illustrated by dissections, mostly made upon dogs, and performed by ignorant surgeons or barbers. On very rare occasions a human body was brought in, but even here the professor seldom did the necessary dissection. Indeed, the lecturer was nothing more than an interpreter of Galen, one who tried to explain satisfactorily words of which the meaning had become lost in the drift of ages. Most of the medical discussion at that time was about the interpretation of the old Greek text, and so obscure was the meaning sometimes that what one would think was the name of a physician, another would consider to be a drug. The unnatural divorce of the teacher of anatomy from the demonstrator of the dissections tended to make confusion worse confounded, for if the dissector could not find the muscle or nerve or organ mentioned in the text, the professor could give no help, and went away quite satisfied with the superior knowledge of Galen in these things.

During the three years of his stay at Paris, Vesalius was taught medicine in this manner. His inherent talent for dissection had, however, been perfected by practice, and he was led to search for such structures as the professor had been unable to show. In many cases the search was successful, and the teacher at the next meeting would have the improved dissection placed before him. In this way Andrew became well known as a skilful dissector, and he is instanced as such by his master Guinterius, who could appreciate talent of this kind, inasmuch as he never did any dissecting himself, beyond that necessary to divide the cooked meat served up at his table. And this reputation which he had gained, was the means of giving Vesalius a privilege he highly prized—the opportunity of dissecting a human body. As I have said, such opportunities were few—only three or four while Vesalius was in Paris—and they were of the nature of what we should now call *post mortem* examinations, for nothing beyond the investigation of the organs of the cranium, chest, and abdomen was attempted. Andrew, called upon by the unanimous voice of professor and students to undertake the duty of demonstration, discharged it with much acceptance and success, and not content with doing merely what was usually done, he dissected out certain of the muscles as well. The study of the bones, also, was a subject to which he paid great attention, and by stealing specimens from the cemeteries and places of public execution, he became so skilled, that he was able, and he boasts of the achievement, to name, merely by feeling it, every bone that his comrades could find in a graveyard.

So time went on till 1535, when war broke out between Francis and Charles V., and this made it necessary for Vesalius to leave France. He returned to Louvain, where he readily obtained the post of Demonstrator of Anatomy. The teaching of this branch of medicine had been much neglected here, and it was eighteen years since a human body had been dissected. Vesalius set about remedying this state of things, and the burgomaster, as it so chanced, was a man of much culture and endowed with no mean knowledge of anatomy, and thus the demonstrator was able to get the bodies of criminals for dissection. Shortly after his return to Louvain, Andrew found an opportunity of getting a complete human skeleton. It was that of a robber whose bones had been picked bare by the birds of prey, and it was fastened high up on a stake in the place of

execution outside the city walls. With the assistance of his friend, Gemma Frisius, the mathematician, Vesalius managed to separate a few of the bones, but the rest of the skeleton was above reach and firmly chained to the stake. To attempt more then would be injudicious, it would take time and might lead to discovery, and in any case the whole skeleton could not be carried about without attracting notice. The two friends, therefore, were content to hide the bones they already possessed under their cloaks, and walked home as discreetly and circumspectly as possible. Towards sunset of the same day, Andrew sauntered out of the city and wandered about till midnight, when he thought he would be able to finish his task without interruption. At that hour, accordingly, he repaired to the place of execution, and undeterred by the hideous clanking and creaking of the rusty chains as they swung to and fro in the wind, without a thought of the horrors around him, and the mangled and decomposing bodies looming huge and ghastly through the darkness, with his mind fixed only on his task, he climbed to the top of the stake and, after considerable exertion, managed to free the rest of the skeleton. He then took the bones to a secluded spot, where he buried those he could not conceal about his person. At dawn he entered the opened city gates, and we may be sure he had frequent walks into the country until all the bones had been safely transported to his own house. In no long time they were joined together, and Vesalius was in possession of the only articulated skeleton in the world. Suspicion was disarmed by the open manner in which he displayed the unique curiosity "he had brought from Paris"!

But Andrew was not yet completely given over to anatomy, for he devoted some time to preparing a translation and commentary upon the 9th Book of Rhazes. This work, which indicates that he had learned Arabic in a very capable fashion, was published early in 1536. At this time we find him at Brussels, but shortly afterwards he set out for Italy, where he hoped to obtain his degree. At Venice he studied medicine for some months in the hospital attached to the Theatine Convent, and there he would be brought in contact with John Peter Caraffa, the founder of the Theatine Order, afterwards Pope Paul IV. There too he must have met St. Ignatius Loyola, who was then residing with Caraffa, and whom the latter was trying to induce to join the Theatines. It was

probably then also that Vesalius became first acquainted with his fellow-countryman, Jean von Calcar or Johannis Calcarensis, who was a distinguished pupil under Titian. Towards the end of 1536 Andrew went to Padua and was admitted to his diploma on December 6th. But his talent for dissection had already gained him the position of Demonstrator of Anatomy, and some days before receiving his degree he began a course of dissection before a large and distinguished audience. And thus he entered on his teaching career at Padua, which lasted till the end of 1542.

At this time he was still a believer in Galen, and his lectures were based upon Galen's text. So little was his faith disturbed even in 1538 that he brought out an emended edition of Guinter's translation of Galen's *Institutes of Anatomy*. In this year also he published six anatomical plates, of which three were from drawings made by himself from his dissections, and the others were designed by Jean von Calcar, to show three different aspects of the human skeleton. About this time he was appointed by the Senate to the higher and more lucrative position of Professor of Anatomy and Surgery, and shortly after (in the beginning of 1539) he wrote a pamphlet on blood-letting in pleurisy, in which he advocated the old Hippocratic idea of local bleeding as opposed to the then general use of the Arabic method of bleeding from distant parts. In the meantime he was studying Galen very carefully, and indeed revised the Greek text of an edition of this author's works which was to be published by the Venetian printers, Gunta. But probably ere this he had become less satisfied with the Greek master and was disturbed by the difficulty of explaining the dissection of the human body by means of Galen. The description read out harmonized so little with the appearances observed that he was led to doubt whether Galen had ever dissected a man's body. Once this doubt entered his mind there was a new era before him. If Galen were wrong, then Vesalius had the first chance to be right; if Galen had not described the human body, here was a magnificent task for Vesalius to undertake. The enormous difference that this train of thought brought about in his aim and method of working can be readily understood. He had a special copy of Galen ever by his side, and he had been noting therein the discrepancies which he had observed, intending to publish the whole as a commentary on Galen, but he changed his plan now and determined to publish an Anatomy

of his own, describing the body as his dissections showed it to him.

There was only one obstacle in his way, and that was the fact that only a few bodies were given over to dissection each year. But this deficiency was easily remedied. His enthusiasm for the work had infected his students and friends, and these aided him on many a midnight raid upon the deserted churchyards. Those attending hospital watched where patients were buried in order that Vesalius might have an opportunity of explaining on the dead body the symptoms observed during life. Such "resurrection" excursions often went far into the country, and bodies were brought to Padua from long distances. The danger and anxiety connected with such work were neither trivial nor passing, for the bodies had to be smuggled into the city concealed in straw, and then secretly conveyed to the house of Vesalius or to his wooden amphitheatre. Even then the chief conspirator could not breathe easily till the skin had been separated from the body and the corpse lay quite unrecognizable on the table. Surely a terrible life was that of Vesalius at that time. But his work was all in all to him, and he tells us that he regarded it as being father, mother, friends, wife, and children to him. And so successful was he in getting bodies that he often had more than he could conveniently dissect, and we find him asking the authorities to postpone an impending execution as he had no present need for the corpse of the criminal. Terrible work indeed, but glorious withal and well worth his anxiety and trouble, for each day he saw growing clearer and more clear before him the wonderful edifice that the Almighty Architect had devised. Day after day too he saw how Galen had erred, and to his students he pointed out these mistakes.

The attention of scientific Europe became fixed on Padua and on the never-ending dissection that went on there. Students from all parts and even doctors long since received flocked to hear what Vesalius had to say, and they carried away wonderful stories with them—stories that made the heart quake in many who had erstwhile been famous anatomists. Till then the world had believed in Galen: he was the one man that knew anatomy in all its fulness, and had gauged all its future possibilities, and now it was declared that Galen knew nothing of man. Surprise, indignation, and anger rapidly succeeded each other in the minds of the Galenists, and Sylvius in Paris, Dryander in Marpurg, and Eustachius in Rome, led the attack against the



innovator. But Vesalius continued manfully at his work, and having finished his book in 1542, it was published in August of the following year. He had already experienced the advantage of wood-cuts as illustrations, and he determined to make use of them again as he remembered that many of his readers might not have an opportunity of seeing an actual dissection and would therefore have no other means of testing the truth of what he said. He accordingly went to great expense in preparing a large number of plates for his *Anatomy* and for the *Epitome* of that work which he published at the same time.<sup>1</sup>

We cannot now form an adequate conception of the effect produced by the appearance of this wonderful book. Up till that time some progress had indeed been made, but it was within narrow limits. If anything new were found out, the discoverer tried to ascertain some passage in Galen's work which would apparently support him, and, considering the obscurity of the text, such was not difficult to get. But here was something vastly different. Vesalius would have no compromise. He said: "I shall describe the body as I have seen it, but with Galen I have naught to do, for he never dissected a man's body." Here was no attempt to put new wine in old bottles. But what was the result? All over Europe dissections had been made, even dissections of men, and yet no one but Vesalius had seen that Galen was in error. And thus his *Anatomy* was a severe criticism of the competence of contemporary anatomists, and who can wonder if many of these left no stone unturned in their efforts to vilify their critic and to discredit his facts. But to the younger men who had not as yet the chains of Galen's slavery long upon them, to those also whose self-love and interest did not blind them to reason, and to all men who were eager for the progress and perfection of knowledge, the *Anatomy* of Vesalius came radiant with the light of truth, and was accordingly received with enthusiasm and devoted homage. The highest honour a physician might aspire to was laid before him, and he was offered the position of medical attendant to the Emperor Charles V., then in the zenith of his power. And he accepted it.

It may seem surprising that one with such a passion for anatomy as Vesalius should accept any dignity, however great, which would separate him from the science for which he had

<sup>1</sup> These plates have been erroneously attributed to Titian. Calcar designed some of them, and the others are probably from the pencil of Vesalius himself.

laboured so much. Indeed such a reflection constantly comes to our minds whenever we hear of a prominent scientist becoming a politician, or when a man who has made his mark in any particular department of knowledge turns his mind and energy to some other study. But we forget that it may be a most laudable ambition which tempts one to try and excel in some hitherto unaccustomed sphere. Vesalius had done a great deal for anatomy, and it may well be that he felt himself capable of purifying medicine as well and of making the physician something different from the mystery-loving, pulse-handling, and stargazing man that he notoriously was in those days. And besides he had experienced very keenly what the reformer in anatomy must expect, and he was not perhaps averse to removing himself from the sneers, the cavillings, and the personal abuse of his opponents. Even yet, even after having accepted the invitation of the Emperor, he determined to show the Galenists their errors, and during 1543 and 1544 he went about among the Universities of Italy, demonstrating on the dead body the truth of his assertions. But his opponents were not subdued, and he felt so indignant at the treatment he received that he burned all his copies of Galen, as well as the manuscript of several books he had been composing, and he formed the resolution of never writing anything more. He then returned to the Court of Charles V., and with him, and after him with his son, Philip II. of Spain, he spent the rest of his life.

On only two occasions did he deign to defend himself against the attacks of his enemies. In a letter to Joachim Roelants he gave, in a most clear, concise, and convincing manner, his reasons for rejecting the authority of Galen. This was written in 1546, and he spoke no more on this subject till 1561, when his pupil Fallopius published his *Anatomical Observations*. Vesalius felt that the criticism of Fallopius was of a different kind to that which he had formerly experienced, and accordingly he wrote Fallopius a letter in which he reviewed the whole subject under discussion. This letter never reached Fallopius, but Vesalius himself got it published in Venice in 1564. How Vesalius was treated by his opponents may be gathered from the following sentences, penned by Sylvius: "You see, good and candid readers, that no solid learning is to be looked for in this most verbose farrago of the calumniator (*i.e.*, Vesalius); to seek for errors there is like looking for water in the ocean. . . . I implore His Imperial Majesty to take means that this monster of

ignorance, this most hurtful example of ingratitude, pride, and impiety . . . may be heavily punished and in every possible way restrained, lest by his pestilent breath he poison the air of Europe."<sup>1</sup> Vesalius, with his clear common sense, saw that to argue with such people was impossible, and that discussion, if it arose, must be purely personal. Wisely then did he remain silent.

At the Court, Vesalius, though falling short of the renown he had gained in anatomy, nevertheless was held in highest estimation. The Emperor trusted him greatly, and we find him attending the greatest dignitaries of the Empire, legates, ambassadors, nobles, bishops. The stories of his wonderful knowledge and skill are to be read in the pages of Thuanus and of contemporary writers, and the estimation in which he was held may be inferred from the fact that he was sent by Philip to Henry II. of France, who had been fatally injured in the tourney-field, and that his opinion was followed in treating the serious illness of Don Carlos,<sup>2</sup> Philip's son, in 1561.

In 1559 Philip II. took up his residence in Spain, and thither Vesalius followed him, and there also the physician met with distinction and success. But he could not ward off disease from himself, and so he fell ill and was like to die. In his extremity he vowed to make a pilgrimage to Jerusalem if he were restored to health, and upon his recovery he set about fulfilling his vow, and early in 1564 he obtained leave from Philip to set out for Palestine.

So much speculation has been excited with regard to this pilgrimage, and so many different theories have been advanced concerning it, that it is worth while investigating the subject thoroughly, though it is morally certain that the events were as recorded above. Probably the most well-known account is that given by Hubert Languet. In 1565 this man wrote to Caspar Peucerus, the son-in-law of Melancthon, as follows: "There is a rumour that Vesalius is dead. Without doubt you have already heard that he set out for Jerusalem, but I have news from Spain which gives a wonderful reason for his pilgrimage. There was committed to his charge a Spanish noble who was sick, and on the death of this man, Vesalius,

<sup>1</sup> *Adversus G. Sylvii . . . columnias*. R. Henero, autore. 12vo. Venitiis, 1555, p. 133.

<sup>2</sup> Those who care to see how Kingsley can write history may compare his account (loc. cit.) of the illness of Don Carlos with the sober facts given by Gachard. (*Don Carlos et Philippe II.* 2 vols. 8vo. Leipzig, 1863), vol. i. pp. 80, seq.

who was not quite satisfied as to the cause of the illness, asked permission of the relatives to open the body. This was granted, but on cutting into the thorax the heart was seen to be still beating. The relatives, then, not content with accusing Vesalius of murder, brought him before the Inquisition on the score of impiety, thinking that thereby they would be the more thoroughly revenged on him. When the facts of the case were made known, the error of the great physician could not easily be excused, and the Inquisition sentenced him to death. It was with great difficulty that the authority and even the entreaty of the King rescued him from this fate. At length, at the instance of the King, and indeed of the whole Court, Vesalius was pardoned on condition that he expiated his offence by a pilgrimage to Jerusalem and Mount Sion."<sup>1</sup>

This is the story of Languetus, and it has been implicitly followed and believed by most of those who have written on the subject, by Boerhaave and Albinus (1725) in the Biographical Preface to the *Opera Omnia Vesalii*, and by almost all the writers in the dictionaries of biography, and such recent authorities as Professor Sir W. Turner,<sup>2</sup> Professor Henry Morley,<sup>3</sup> Charles Kingsley,<sup>4</sup> and Dr. B. W. Richardson,<sup>5</sup> have declared that to them it gives the only explanation for the journey of Vesalius. But let us examine the story more minutely. At the outset it is noticeable that the account is a hearsay one and that the writer gives absolutely no authority for his statement. Not only so, but there is no contemporary record which endorses the tale. Ambrose Paré indeed speaks of a similar occurrence,<sup>6</sup> and although he mentions no name, Lancisi and others have believed that the reference was to Vesalius. This is what Paré says as it appears in an old English translation: "Those who do not mark this, fall into that error which almost cost the life of him who in our time first gave life to anatomical administration, which was almost decayed and neglected. For he being called in Spain, to open the body of a noble woman, who was supposed dead through strangulation of the wombe, behold at the second

<sup>1</sup> Quoted in extenso by T. B. Blount, *Censura Celebriorum Authorum*, fol. Londini, 1619, p. 478.

<sup>2</sup> *Encyclopædia Britannica*. Ninth Edit. vol. i. under heading "Anatomy."

<sup>3</sup> "Anatomy in Long Clothes," in *Fraser's Magazine*, vol. 48, 1853.

<sup>4</sup> "Vesalius the Anatomist," in his *Historical Lectures and Essays*, 1880.

<sup>5</sup> "Vesalius and the birth of Anatomy," in the *Asclepiad* for 1885.

<sup>6</sup> *Ambrosii Paræ Opera Chirurgica Omnia*, fol. Francofurti, 1594, lib. 24, cap. 46.

impression of the incision knife, she began suddenly to come to herself, and by the movings of her members and body, which was supposed to be altogether dead, and with crying, to shew manifest signes that there was some life remaining in her. Which thing strooke such an admiration and horror into the hearts of all her friends that were present, that they accounted the physician, being before of good fame and report, as infamous, odious, and detestable, so that it wanted but little but that they would have scratched out his eyes presently: wherefore hee thought there was no better way for him, if he would live safe, than to forsake the countrey. But neither could hee so also avoyde the horrible pricke and inward wounde of his conscience (from whose judgment no offender can be absolved) for his inconsiderate dealing, but within few dayes after, being consumed with sorrow, he dyed to the great losse of the commonwealthe and the art of physic."<sup>1</sup> Paré wrote this some fifteen years after the letter of Languetus, and it may be that he has given merely a corrupted version of the older story, and on that account, as well as from the fact that it does not make any mention of the pilgrimage, we may disregard it altogether.

We come back, therefore, to the unsupported evidence of Languetus. Now the more this account is examined on its own merits the less probable it appears. What was the name of the noble who was killed by such strange mischance? Such an extraordinary occurrence could not fail to attract the notice of the contemporary historian. Before what tribunal was Vesalius arraigned? How came he to be examined by the Inquisition at all, since the convocation of Salamanca had declared not only that dissecting was not an impiety, but even a necessary and a laudable thing in the interests of science? Who were his judges, who his accusers? To all these most natural questions no reply can be obtained, for the reason that the records of that time give us no information. The works of Watson, Leti, Llorente, Chambers, Lea, &c., throw not the slightest light on the subject. And to go further it may be doubted if a man of such unrivalled knowledge as Vesalius would have opened a body not yet dead. It is possible that he might have thought a man dead who was not, but, as Lauth and others have pointed out, it would be quite ridiculous to think that the first few superficial incisions would not have

<sup>1</sup> The works of that famous Chirurgian Ambrose Parey, fol. London, 1634, p. 94<sup>r</sup>.

shown him his mistake. The story, indeed, may be summed up as follows: Vesalius is made to fall into an error which it is extremely improbable that he would commit; for the problematical murder of this man, who has never been identified, he is brought up by nameless accusers, before unknown Inquisitors, in a town that has not yet been localized. Surely never did so baseless a story receive such widespread credit. The simple *on dit* of Languetus has passed for rigid truth. And yet the testimony of Languetus in this instance needs scrutiny, for he was an ardent politician and a keen partisan of the Prince of Orange. He, accordingly, would be only too glad to grasp at a story which, while showing the Spanish Government and the Inquisition in an unfavourable light, would arouse the indignation of the Belgians at the treatment of their fellow-countryman. If there is any shadow of truth in the whole matter, it may be in this that Vesalius (or Wesalius as he was often called) was confounded with Jean Wesalius, or Wesalia, who had come under the ban of the Inquisition. In one passage of his works Vesalius speaks about examining the palpitating heart of a woman. This has brought against him the charge of vivisectioning human beings, and Roth<sup>1</sup> thinks that the story of his condemnation has gradually grown from this idea, which, it is needless to say, was erroneous, as the palpitating heart was obtained from a culprit who had undergone the barbarous punishment of disembowelling.

But it may be urged as singular that contemporary writers did not condemn the tale of Languetus were it false. The answer is simple: because they did not hear it. The letter of Languetus was a private one, and apparently was not published till the beginning of the seventeenth century. But it came to the ears of Dudith,<sup>2</sup> who emphatically declared it to be false, as also did Clusius,<sup>3</sup> and it is implicitly denied by Metellus,<sup>4</sup> Melchior Adam,<sup>5</sup> Blount,<sup>6</sup> Joannis Imperialis,<sup>7</sup> &c., and notwith-

<sup>1</sup> M. Roth, *Andreas Vesalius Bruxellensis*. 8vo. Berlin, 1892, 500 pp.

<sup>2</sup> In Laur. Scholzii, *Epist. philos. medicin. volumen*. Francof 12vo. Epist. 30 and 31.

<sup>3</sup> In Thuani, *Historia sui Temporis*. fol. Londini, 1733, vol. vii. part vi. pp. 14—16.

<sup>4</sup> In *Illust et clar. virorum Epistola Select. scripta vel a Belgis vel ad Belgas*. Lug Batav. 1617, Epist. 72, p. 372.

<sup>5</sup> Melch. Adami, *Vite Germanorum Medicorum*. 12vo. Hadelb. 1620.

<sup>6</sup> Op. cit.

<sup>7</sup> Joannis Imperialis, *Museum Historicum et Physicum*. 4to. Venitiis, 1640, p. 55.

standing its widespread currency, it has been condemned and rejected by those whose investigations best fitted them to judge in the matter, among whom I may mention Lauth,<sup>1</sup> Burgræve,<sup>2</sup> and Roth.<sup>3</sup>

Johannis Metellus, in a letter to George Cassandrus, dated Calends of May, 1565, gives this reason for the pilgrimage: "Vesalius for a particular wager of money, and in order that he might gain the more wealth, set out last year from Spain; nor did he join the company of the merchants, but so meanly had he provided himself with provisions that he went with the pilgrims." Like Languetus, Metellus has no evidence to give beyond his own unsupported statement, and this is on the face of it improbable and ridiculous. At that time such a long journey would not be undertaken without much thought and grave consideration, for it involved not only no little expenditure of time and money and energy, but also very serious risk to life and limb. It is extremely unlikely that Vesalius would leave his honoured position at the Spanish Court and expose himself to the innumerable dangers of such a journey in order to gain a foolish wager.

Argenterius<sup>4</sup> and Johannis Imperialis<sup>5</sup> pretend that the envy of the Galenists hurt his reputation at Court, and that he prevented his dismissal by asking leave to go on a pilgrimage. But this is hardly probable when the fearless nature of Vesalius is considered. His journey, then, would be a mere cloak to his disgrace. It goes without saying, however, that if he ran any chance of losing his post through the intrigues of his opponents, his best weapon against them would be to expose them to the world instead of putting himself to much inconvenience and danger in order to hide them. Confirmatory evidence, also, is wanting.

The idea put forward by Sweertius,<sup>6</sup> in 1628, would not be worth mentioning were it not that Kingsley is disposed to put faith in it. According to this account Vesalius was so harassed by his imperious and scolding wife, that he determined to free himself from her for a time. There is no evidence existing as to the temper of the wife, but Kingsley easily devises discord between them. "Vesalius' religion," says this author, "must have sat very lightly on him. The man who had robbed

<sup>1</sup> Lauth, *Histoire de l'Anatomie*. 4to. Strasburg, 1815, p. 533.

<sup>2</sup> Burgræve, *Etudes sur André Vésale*. 4to. Gand, 1841.

<sup>3</sup> Op. cit.

<sup>4</sup> Joh. Argenterii, *Opera Omnia*, fol. Hanoviae, 1610, ad lectores.

<sup>5</sup> Op. cit.

<sup>6</sup> Franc. Sweertii, *Athenæ Belgicæ*, &c. fol. Antverpiæ, 1628, pp. 127, 128.



churchyards and gibbets from his youth was not likely to be afraid of apparitions and demons. He had handled too many human bones to care for those of saints. He was probably, like his friends in Basle, Montpellier, and Paris, somewhat of a heretic at heart, probably somewhat of a pagan, while his lady, Anne van Hamme, was probably a strict Catholic, as her father, being Councillor and Master of the Exchequer at Brussels, was bound to be; and free-thinking in the husband, crossed by superstition in the wife, may have caused that wretched *vie à part*, that want of any true communion of soul, too common to this day in Catholic countries." With regard to the religion of Vesalius, something anon, but here it is sufficient to say that Sweertius has no contemporary support.

Burgrave has thought it probable that Vesalius was tired of Spain and of his life at Court and anxious to return to his career as professor, and that therefore he made the pilgrimage as an excuse to get away from uncongenial surroundings. It seems, indeed, to have been true that Vesalius did not appreciate the genius of the Spanish people, and that he did not easily fall in with their habits, and it is also certain that he looked back with joy to his life as an anatomist. But there is no evidence that he undertook the pilgrimage because of these things. Again, if he wanted to go away he surely would be allowed if he asked. Even supposing it were necessary to use subterfuge to get Philip's permission, such would be no longer necessary when Vesalius had gained Italy and was beyond Philip's power. He must indeed have entered with extraordinary zeal into his deception, when not content with getting what he wanted (his freedom and his return to Italy) he kept up the fraud when it was not only of no more use to him, but actually exposed him to very serious dangers as this journey to Jerusalem would do. Finally, there is the fatal objection—the want of contemporary documentary evidence.

This whole subject seems to be one of the many examples of people taxing their ingenuity to find an explanation when the proper one is staring them in the face. Vesalius (despite Kingsley's surmise) was a good Catholic, brought up in the most orthodox of schools and living in the most orthodox of atmospheres, the Courts of Charles and Philip. To him it was quite a natural thing to go on a pilgrimage, and needed as little explanation as his going to Mass. It is said that contemporary

writers give no reason for the pilgrimage, and this is the explanation, for when they say that Vesalius went on such a journey, they think that every one understands them. There was nothing remarkable in a man of high position and great attainments performing a pilgrimage, for kings, princes, and nobles elbowed peasants and beggars to the shrines. Clusius, the great botanist, who arrived in Madrid a few days after Vesalius had left it, tells us the following account on the authority of De Tisnac, the Procurator of the Netherlands at the Spanish Court. He says that Vesalius went away of his own free-will, in the fulfilment of a vow he had made during a recent severe illness. Nothing could be more likely or more authentic. Kingsley, however, who has an easy way of putting aside evidence that he does not want, expresses doubt as to its truth. He argues that "De Tisnac lived in dangerous times, and may have found it necessary to walk warily in them," and accordingly "may have thought good to return a diplomatic answer to his fellow-countryman." But if it is allowable to make surmises, it might be suggested that there could be little suspicion of treason in telling why Vesalius went away, and that De Tisnac, having no great inducement to tell a falsehood, simply told the truth. Moreover, Clusius did not write his account on the very night of his arrival in Madrid and after hearing De Tisnac alone. The botanist was led to give his account in 1607, when he for the first time saw the letter of Languetus in Thuanus' *History of his own Time*. He wrote to Thuanus, pointing out that Languetus was in error, and he narrates the story he had heard in Madrid; and in order to show that it was not merely the gossip of the streets or of the drawing-rooms, he adds that it was confirmed by De Tisnac, who, being a Netherlander high up in the Court, would know for certain what had happened to his great countryman, Vesalius. Nor is Clusius alone in considering that the motive of the pilgrimage was a religious one. As I have already stated, those who merely mentioned that he had gone on a pilgrimage, understood that the motive was the ordinary one, but Dudith has definitely stated it to be so, and he is followed by Thuanus, Melchior Adam, Freher,<sup>1</sup> Castellanus,<sup>2</sup> and even by those who have devised additional causes for his journey. Lauth, indeed, blames Vesalius for being so superstitious as to

<sup>1</sup> D. P. Freheri, *Theatrum Virorum Clarorum*, fol. Noribergæ, 1680, p. 1254.

<sup>2</sup> P. Castellani, *Vite illustrium medicorum*, 12vo. Antverpiæ, 1618, p. 195.

believe in the efficacy of a pilgrimage. It is then surprising that Roth, who has investigated the life and times of our anatomist with truly German minuteness and with remarkable accuracy, has not been able to see the light through this cloud of confusing and contradictory evidence. He says: *Das Wichtigste, das Motiv der Jerusalemreise ist und bleibt unaufgeklärt.*<sup>1</sup> From what has been already brought forward, however, it is quite clear that Vesalius undertook the journey from religious motives.

Thus much with regard to the very discussed question of the pilgrimage. Before leaving Madrid Vesalius lent out moneys of which he had no immediate need to certain young Flemish nobles at the Court of Spain, stipulating that they should pay him back with interest when he returned from Jerusalem to the Low Country. Thereupon, having obtained a special passport from Philip, he set out with his wife for the Spanish frontier. Here he was detained at Perpignan by the Custom-house officers, a rapacious set of men whom it was necessary to bribe into some sense of civility. Vesalius, thinking that his passport put him above their authority, took legal action against them, but the process, after dragging along for fifteen days, ended in favour of the officials, and thus he lost not only his time, but also some fifty pieces of gold.<sup>2</sup> From thence his wife and his furniture were sent on to Flanders, while he himself proceeded to Venice, where he stayed a few days. Malatesta of Rimini, the Commander of the Venetian army, was just about to set out for Cyprus, and Vesalius' ship took advantage of the circumstance to sail in his convoy so far. We are told that Andrew travelled in humble fashion with the other pilgrims, and this also attests the sincerity of the pilgrimage. And so without any incident of note the King's physician reached Palestine and paid his visits to the Sacred Sepulchre and other holy places. On the home journey the voyage was by no means so prosperous, for the vessel was buffeted about by contrary winds until the provisions began to run low. Privation and anxiety preyed upon the health of Vesalius—never very robust, and he must have felt the hand of death upon him, for he begged the sailors not to cast his body into the sea should he die before land was reached. At

<sup>1</sup> Op. cit. p. 278.

<sup>2</sup> So Clusius, but Roth, considering that this is tantamount to accusing Vesalius of avarice, rejects the story altogether.

length, after being tossed about for forty days, the island of Zante was gained, but relief came too late, as he expired very shortly after being landed. Another account says that the ship was wrecked and Vesalius cast upon the island. In any case, he died in misery, alone and unattended. The inhabitants of the place, rough and uncultivated people, did not take kindly to the sick stranger who had appeared among them, and fearing that he suffered from the plague, no one ventured near him. Their horror prevented them even from burying him, and his corpse was cast upon the sea-shore, where it was recognized by a Venetian goldsmith who chanced that way, and who buried it beneath a heap of stones. So died Vesalius.

The character of the man, apart from what can be gleaned or inferred from his writings, is but little known. His portrait<sup>1</sup> shows us a fine face, clearly cut, with massive forehead, short, crisp, curly hair, and curly beard and moustache. The nose is long and somewhat *retroussé*, the lips firm and strongly moulded, his eyes are large and expressive. The hands too are the fine hands of a gentleman, with the neatness, the delicacy, and the nervousness of the artist. Vesalius had in a strong manner that stamp of genius—an infinite capacity for work. His enthusiasm was strong and contagious; he had a masterful character, and was endowed with evident artistic feelings and tastes. He suffered from dyspepsia in his youth, and we are told that his disposition grew mournful as age advanced, and that he became somewhat of a valetudinarian. It is also said that his disposition was miserly and grasping, and the loan of money at Madrid and his dispute with the Custom officers at Perpignan are brought forward as evidence of this. But Clusius does not say what the rate of interest was, and in any case the risk Vesalius ran of losing the principal must not be overlooked. There is no evidence to show that lending money was a usual thing with him, and in all probability he may have been asked for money by these Flemish noblemen who knew that he was realizing his property and about to send the proceeds with his wife to Flanders. With regard to the affair at Perpignan it may well have been his natural pride and obstinacy of purpose which prevented his paying a bribe to the officers. In the circum-

<sup>1</sup> Most of the so-called original paintings of Vesalius portray him in a different manner to that depicted in the well-known wood-cut in his *Anatomy*. I have followed the indications of the latter.

stances of the pilgrimage, Metellus finds indications of his avarice, inasmuch as he went in humble style; and because he laid in such a slender stock of provisions, that he was half-starved ere he landed at Zante. But although Metellus thinks it strange that Vesalius, who was travelling for a wager, did not go in suitable company, we who know that he went on a pilgrimage, recognize it as an evidence of the sincerity of his motive; that in fact he was a real pilgrim. That provisions ran short cannot be implied as a fault to him, since no one could have foreseen such a protracted voyage. This much indeed is most certain, that in his youth desire of money had no place in his thoughts, for in connection with the plates in his *Anatomy* he spent money freely. The venture was a very serious one, as he knew how harshly the book would be criticized, and that its success was more than doubtful, and yet he went out of his way to adorn and beautify it, the wood-cuts being almost without exception the most artistic and beautiful that have ever appeared in a work on *Anatomy*.

That Vesalius was a man of deep religious feeling can be easily gathered from his writings. But Boerhaave and Albinus declare that he was a strong hater of the clergy, and that the latter had their revenge on him by sending him on the pilgrimage. "And thus did the horrid tyranny of the priests cut off by a fearful death that man who had no equal in the centuries, and whose memory medicine shall honour as long as health will be an object to be desired. Nor need we be surprised that the clergy hated him with deepest hatred, for he lived at the time that the true culture of languages and liberal arts was springing into life, and it was pleasant for those who were learned to expose the stupid errors of the monks, and to ridicule and laugh at them, and this he himself did over and over again in the most witty way. And he was very indignant that charges of heresy should be brought against an anatomist who gave his views freely concerning the use of the cerebrum, for it was by this means that these most illiterate men terrified scientists. He had also the greatest disdain for the ecclesiastical censors, whose overweening pride and dense ignorance he hated. Nor did he keep silence, but he moved their wrath by his words. Sometimes in a joking way he mocked the manners and the garb of the monks, so that one can scarcely refrain from laughing at what, in speaking of the trapezius muscle, he has freely written concerning the dress of the Benedictines,

Franciscans, and Jacobites. Nor was he more sparing of the scholastics, Albertus, Scotus, and Thomas, for he ridicules their delirious ravings in which they devised parts of the brain for the mere purpose of assigning a function to them."

Let us see if there is any foundation for this strongly-worded paragraph. Vesalius says:<sup>1</sup> "In the examination of the cerebrum and its parts little is to be gained by vivisection, since here we must deny, so say our theologians, that animals although similar in structure to man, possess memory and thought and reasoning. Accordingly, the anatomist who has no leaning to heresy, will rightly understand that I should be badly advised were I to institute experiments on the brain which otherwise I would readily do." There does not seem to be the slightest hint of indignation here.

Again, on page 516 (*Opera Omnia*) he says: "Lest perchance I should run counter to some censor of heresy in my remarks concerning the varieties of the soul and their positions, I shall go no further, since you will find all information given in the fullest manner by the theologians of our most true religion." Does this express his disdain for the censor and his hatred of the latter's pride and ignorance? But his Dutch biographers go on to say that on some occasions he did not so discreetly keep his own counsel, "but moved their wrath by his words," by ridiculing the dress of the monks, by exposing their scandalous lives, and by scoffing at the schoolmen. In the 1543 edition (*De humani corporis fabrica*), Vesalius<sup>2</sup> refers to the dress of the monks: he is speaking of the trapezius muscle, and says that its shape is exactly imitated by the cowl of the religious habit, a curious point of resemblance which any one can see for himself. In subsequent editions I have not been able to find him mentioning this comparison, and in any case there is no hint of mockery in the allusion. But what does he say with regard to the scholastic philosophers? "Verily the more I examine the nature of the heart, liver, and other organs, whose functions are certainly the same in man and animals, the more I am persuaded that the functions of the soul cannot be explained otherwise than our most holy and true religion teaches, and the more also am I astonished to find that the schoolmen and philosophers should believe that the brain has," &c.<sup>3</sup> Elsewhere also he takes occasion to correct the anatomy of Scotus, Albertus, and St. Thomas, but all this is very different

<sup>1</sup> *Opera Omnia*, p. 570.

<sup>2</sup> P. 171.

<sup>3</sup> *Opera Omnia*, p. 617.

from what Boerhaave and Albinus would have us understand. Vesalius always speaks of the Church as the "most holy and most true Church," but that the theologians were wrong in their anatomy is not very singular, since their knowledge of this subject was that of their time. In the schools many abstruse questions were discussed and theologians took different views, and as these were not of faith one could freely embrace either side. But Vesalius seems to have confined himself as much as possible to the description of what he saw, shaking himself free of all speculation and theory. This is well seen in his reference to the sesamoid bones of the sole of the foot. There was a tradition that one bone of the body resisted decay, and while all else sank to dust it remained incorruptible and was to be the seed from which the body would rise up on the Last Day. This subject had been frequently discussed, and some following the teaching of the Arabs had localized this everlasting bone among the sesamoid ones of the foot. Vesalius in his description<sup>1</sup> states that these bones are consumed by fire and corroded by time just like other bones, and he wisely ends by saying that he leaves to theologians the question as to how the resurrection is to be effected.

We may take it that with the Dutch anatomists the wish was father to the thought, and having little love towards the Catholic Church they desired to make Andrew appear to be the same. But as their edition of his works is the most complete one and the one most easily obtained, it has happened that their strictures have passed into other biographies. This is how Professor Morley tells one of these oft-repeated stories: "Thus it happened that on one occasion his class was edified by the emotion of a portly Petrarch under a monk's hood, who had sought in the excitement of anatomy a refuge from his grief for the recent death of a too well-known Laura. He sat down thinking of his old acquaintance with a sigh—

Mai non fu' in parte, ove si chiar vedesse  
Quel, che veder vorrei, poi ch'io nol vidi—

and started with a shout that betrayed all his secret when he saw her stretched out on the demonstrator's table. She had been disinterred by the students as a friendless person . . . , whose body, therefore, might be lectured from without any risk of exciting any active outcry against desecration of the dead.

<sup>1</sup> *Opera Omnia*, p. 126.



Vesalius, who hated monks as false pretenders and obstructors of sound knowledge, enjoyed greatly this dilemma."

It is not remarkable that Kingsley should follow in a similar strain and give it as his opinion that Vesalius was "a heretic at heart, probably even a pagan." Roth, however, though a Protestant, recognizes that Vesalius cannot be claimed as a hater of monks, or as a lover of the reformed doctrine. So explicitly indeed does the anatomist express his submission to the Church that this authority thinks that at one time he may have held rather loose opinions, and was, as it were, making a display of his Catholicism to remove the impression his former words might have left. This, however, is a mere surmise. This much we do know, that Vesalius was brought up in the centre of Catholic orthodoxy, in the University of Louvain, that most of his life was spent in an intensely Catholic Court, that he ever refers to the Catholic Church in terms of the greatest respect, and that the last act of his life was the expression of a devotion characteristically Catholic.

Such was Vesalius. Though cut off at a comparatively early age, he had already accomplished his task. More work he might have done, other discoveries he might have made, but the object and aim of his life was fulfilled: he had cast down the idol of authority. Men might do their best to replace it, but never after him would antiquity so enshadow the present as to deaden its living energies. Vesalius was a great anatomist, a great physician, a great man in every sense, but his excelling greatness lies in the fact that he was a liberator, that he freed his fellow-men. He made anatomy a possibility, a possibility which his own exertions brought near to a complete reality. And through Anatomy, Physiology, Pathology, Surgery, and all the other sciences, handmaidens of medicine, are for ever indebted to him.

GEORGE MATHESON CULLEN, M.D.

### *A Relic of the Penal Days.*

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THERE must be in the libraries of our colleges and religious houses, or in the presbyteries of our older missions, many volumes of MS. sermons, which it would be worth while to look through, if perchance any pictures of the penal days may there be found. One or two such volumes that had been prepared for the press are known to the present writer, but evidently the authors or editors made it their rule to leave out, in transcribing, whatever was local and personal, that is, just what would have been of most interest to us; for, sooth to say, the sermons in themselves, with their multiplied quotations from the Fathers, and somewhat far-fetched methods of reasoning, are a little tedious.

By the kindness of the Very Rev. Canon Franklin, of Newcastle, I have examined an old parchment-bound volume of sermons belonging to the seventeenth century, which has lately come into his possession, from which I propose to give a few extracts. The first sheets, including the title-page, have unfortunately been torn out, and there is no clue anywhere to the name of the author. But from a careful inspection I have gathered the following particulars. The preacher belonged to the Society of Jesus. He speaks of "our Blessed Father St. Francis Borgia;" and in another place he says: "This fire was also in the soule of our B. brother St. ( ), whose harte was so inflamed with the love of God every time he received the most B. Sacrament, that they were faine to dip napkins in cold water, and applie them to his left side to coole him." The reference is no doubt to St. Stanislaus,<sup>1</sup> and the blank left for his name suggests that these sermons were transcribed by another hand, and that the then unfamiliar name, Stanislaus or Kostka, was not easy to decipher. As regards time, the handwriting and spelling point to the middle of the seventeenth

<sup>1</sup> "Ardor pectoris tantus ut media quoque hyeme foret ingesta identidem gelida temperandus." (Offic. S. Stanislai.)

century, and the period is more precisely determined by references to the deposition of Charles I. and the confiscations of the Commonwealth: "O what would Tully say nowe, if he were alive againe and should se kings pulled out of their thrones by their owne subjects and vassals; if he should se the innocent oppressed and wicked varlets exalted; if he would se honest subjects banished out of their houses and country, and sturdy rebels seated in their auntient inheritancies; if he should se altars pulled downe, images of our Redeemer defaced, the B. Name of our Saviour blasphemed, and all that is sacred prophaned?" The period of the preaching of some of these sermons was then between 1640 and 1660.

Where were they preached? Not in England, as is proved by frequent allusions to exile. English sermons could only be preached on the Continent to English congregations, and such would be found in the choirs of English nuns, and among the English exiles who frequented their churches. In a sermon on St. Scholastica the preacher alludes to his "former sermons on this glorious Saint," showing that year after year he had been invited to do honour to the sister of St. Benedict. He has also sermons on a clothing and on a profession of a Benedictine nun. The sermons then would appear to have been preached in Flanders, in which country the English Benedictine Nuns had at that time several houses.

The sermon for the clothing is very elaborate and highly interesting. The preacher congratulates the postulant on her vocation: "Tell me, religious spouse, what was it that made you so willingly leave your country, friends, and parents? What was it that made you so courageously trust yourselfe to the mercilesse waves? What was it that hath made you change your silkes and sattins for a poore and meane habit? What was it that made you change your linnen hollands into woollen flannels? What made you leave your furnished chambers for a poore cel, your soft downe beds for a harde couche, your dainty dishes for cold sallets [salads]? What made you trample under your feet youth, birth, beauty, and fortunes which your worth might surely expect?" And later on: "Oh, what an Antepast<sup>1</sup> of joy have you given to-day to all the court of heaven, what glory redounds thereby to God, what edification to the world. What a sight was it to heaven to se you sacrifice to-day your beauty, birth, and bravery at the feet of Christ."

<sup>1</sup> Foretaste, or feast by anticipation. (*ante-pastus*.)

The preacher seems to have thought, when revising his sermon, that this two-fold allusion to the lady's beauty required some apology, and he has added a marginal note: "The poet saith: *Gratior est pulchro veniens e corpore virtus*—'A faire soule in a faire body hath a particular grace.'" Who then was this fair and high-born postulant? The chronicles of the Benedictine Abbey of Brussels, now transferred to East Bergholt, near Colchester, enable me to answer this question with some approach to certainty. She was Lady Barbara Campbell (in religion Dame Baraba Melchiora), youngest daughter of Archibald, seventh Earl of Argyle. This nobleman had taken for his second wife, Anne, daughter of Sir William Cornwallis, a Catholic lady. He himself embraced his wife's faith, and for its freer exercise resided on the Continent. Four of his daughters entered the cloister, Lady Isabel as a chanoinesse, at Berlaimont in Brussels, two others as Augustinians at La Cambre, and Lady Barbara as a Benedictine. She had been placed with the nuns for her education when she was only four years old, and remained with them until she had to leave the abbey for a time previous to her postulancy. She was clothed on 29 December, 1642, and professed on 6 January, 1644, being then only nineteen years old. She lived long enough to hear of the execution of her half-brother by Charles II., and that of her nephew, the ninth Earl, by James II.

The following is an extract from the sermon preached at this young lady's clothing:

Go where you wil under the stars you shal not find any place that so lively expresseth the image of heaven as religious houses, as monasteries where God is continually worshiped, adored, served. . . . O God, what difference betweene the houses of seculars and religious houses. Come into a secular house. Go into the kitchen; what a pudder there is, what running up and downe. The fire scalds, the pots seeth, the meats smoke, the cooks chafe, fret, and fume. Go into the buttery or seller; there you wil find our brave boyes carowsing healths upon their knees to their imaginary goddesses. Go into the hal; there you'l find some swearing, swaggering, and cursing, others drinking, playing, and quaffing, others fuming the Indian smoke out of their mouths, as though they were offering incense to Apollo. Mount up stairs; and there you may chance to meet with chamber workes of another tune. There you may find your spruce perfumed gallant courting his Platonike Mistris, without thinking any hurte, he longs the body for the soules sake. Enter into a ladies closet: good God, what a number of trinkets will you find there; enough to furnishe

a newe exchange. What magazins of confused curiosities are there to be seene. There hangs a little Jesus with a prettie Cupid by Him. There is the picture of the blessed Virgin with Helene of Troy very neer her. There lies Puente's Meditations with a play-book close to it. There hangs a curious paire of beads upon the toes of a little Marmoset. The rest of the furniture is sweet powder, perfume water of the Angelica, the spirit of the orange, a little of the Mercury, folies, complexion in a boxe, jewels, carkanets, wrings, sigging bobs (*sic*), besides many other prettie toyes. Step out of the closet into the dining-roome, and you would thinke you were come to the feasts of Heliogabalus or bacchanalia of the jovial god. The platters are tossed from one end of the table to another. Cups crowned with rich Canary runne up and doune apace, but not so fast as their tongues. You would thinke the confusion of Babel were there. You are knuckle-deep in the pastres and marrow-bone pies, but your tongues enter deeper in detracting the lives of others: this is common table taulke. Eyes, hands, tongues, and teeth, al goe so fast, that one may sware you eat with all your five senses.

O now make a retreat a little out of Babilon into Jerusalem, out of these secular lobbies into a religious cloyster, what difference wil you find. If you come into the kitchin you may chance to find a devoute sister with great silence picking of a poor sallet for supper. Everything is so quiet in all places that you wil imagine that they are seriously employed in profound meditation, and if you chance to heare the noyse of any voices they are no other but such as sweetly sound forth the prayes of God in the quier. If you come into any of their poore cels, there you may find a little couch, a table, a chaire or stoole, a crucifix with a death's head, a rosary, breviary, a discipline, a haire cloth, with some devout booke, and these all. If you go into their dining-roome or the refectory, there is nothing to be heard but the spiritual lesson that is read at table, and if you looke upon them, you see such modesty in their eyes, such silence on their tongues that you would thinke they rather come thether to feed the soule with contemplation than to cherish the body with sustentation.

There is very little in this volume written in the lively style of this contrast. The preacher is generally grave and unimpassioned. Yet he can be very forcible at times. In a sermon on the fiery tongues of Pentecost he takes occasion to speak with great energy against certain tongues set on fire by Hell, as St. James says.

The chast damosel escapeth not the fire of evil tongues, the married wife is blasted therewith, the innocent widow branded; this fire entereth into cloysters, into monasteries, into hermitages, into colledges, into all places. The vowed virgin in her secret cel is not free from evil tongues, the solitary hermit scapeth not. These tongues feare not

sacred altars, they blast anoynted priests, they brand religious orders, confirmed and commended by Apostolike Authority; they scale pulpits and pardon not Evangelical Preachers. Nay, they that appeare heere are the very butte and white they shoot at. Good God! to what obloquies are we subject, and howe doe they practice their eloquence to the cost of our credits. One hath excellent discourse but is very dul and heavy, another hath admirable action but speaks nonsense, another wants no acrimony but his memory fails him, the other hath good concepts but wants a tongue to expresse them, the tother hath audacity enough but meane matter, and there is another that, as it should seeme, hath all these faults, so weary they are of him. Good God! is this what you come to sermons for?

And a little later in the same sermon :

It is to ordinary to scorch with the fire of their tongues the saints of the earth, whole religious orders they brand, and if they can invent a fine lie to disgrace the Jesuits they thinke they doe God good service therein. But that their tongues should presume to touch the saints in heaven, this is to much audacity. I should not wonder to see this in heretical tongues. [Then after some specimens of heretical blasphemy again to the B. Virgin.] Would one thinke that it were possible that any Catholike tongue should imitate these? And yet there be such in the world which goe for Catholikes, and yet by no means they wil have those to be esteemed saints in heaven, although they be canonized by Apostolical Authority, if they be Loyolists.<sup>1</sup>

The most valuable sermon to us is that on St. Thomas of Canterbury. Lord Beaconsfield accounted for the disorders of Ireland by its situation in the midst of a melancholy ocean. Our preacher attributes the heresies of England to a similar cause :

Hypocrates, a great admirer of Nature, saith that a very principal cause of inconstancy in manners is the inconstancy of the weather, and so, in such countryes where the weather is very mutable, sometimes very hotte, instantly very cold, sometimes very cleere, presently foggie and mistie, in such countryes, saith he, the minds and manners of the inhabitants are very mutable and inconstant. . . . Commonly in ilands by reason of the sea, the weather is there inconstant. Our unhappie Iland of England is a sufficient testimony hereof; for never did any Proteus change his shape, nor camelion change his colour oftener, than they have changed their opinion in point of religion, since they fell from the true.

The true reason heerof is, take away once the infallible authority of the Church in deciding points of religion, and discerning the true meaning of the holy scriptures, and there is no means left to be certaine

<sup>1</sup> The sons of St. Ignatius Loyola were thus nicknamed by the Jansenists, who then abounded in the Low Countries.

in any point of religion : which is the cause that all heretikes banding against this authority, runne after the opinions of their own giddie brains, until they runne themselves quite out of all religion, as we may see at this present a woful example of it in oure oune country. I knowe not what unluckie Star predominates there, but our kings have a long time beene so jealous of the Pope's authority, till they themselves have lost all authority. And as the Pope's authority was taken away by a Parliament with the King's consent, so hath a Parliament stript him of all authority without his consent.

The preacher was addressing exiles and confessors of the faith. He is therefore less intent on picturing the evils of English Protestants than in strengthening the constancy and raising the hopes of English Catholics. The following passages occur in the same sermon :

But if our unfortunate country hath beene very unhappie in resisting the authority of the Church, it hath alwaies beene so happie as to have many couragious champions who have not spared their lives in defence of the same. It is somewhat strange to heare what an illustrious writer of the Oratorian familie saith.<sup>1</sup> He observeth that never before in the world was seene such stratagems and machinations invented by heretikes against the Church as in these times. Never was there seen such seditions, such trecheries, such treasons. Never so many temples, churches, chappels, and monasteries pulled doune ; never so many wicked plots invented by heretikes to destroy God's Church as at this present. And having said all this, he instanceth upon oure iland, and saith, *Una insula totam rem clarissime ob oculos nostros proponit*—"And what unhappie iland is this?" *Anglia nimirum*—"O it is our unhappie England."

But he challengeth the whole world to produce the like champions, who have so prodigally shed their blood in defence of the Church's authority. For the weaker sexe he reckoneth up a queene, a marquesse, a countesse, besides a hundred other ladies and gentlewomen, whereof some have beene put to death, others died in prison, others banished for their religion. He affirmeth that in no age since the time of Constantine so many noble women have suffered for the Catholic faith, as they have done in England.

In the like manner he saith that since that time it cannot be found in any age or country, where so many noble women have voluntarily left their country with the pleasures therof to embrace a poore religious life, as the English have done. Shewe me, saith he, in all the world such a queene as the Lady Mary Steward Queene of Scotland and France, who not only suffered 19 years imprisonment, but also death for the Catholike religion. Shewe me such a marquesse as Gertroude the Marquesse of Exeter,<sup>2</sup> or such a countess as Margaret the Countesse

<sup>1</sup> Bozius, I. 12, c. 22.

<sup>2</sup> The author had written Oxford. The word has been corrected by another hand.



of Salisbury, both which died for the same cause. Shewe me such a countesse as the Lady Anne Somerset, banished for her religion. Shew me such a countesse as the Countesse of Arundel and Surrey, imprisoned with her noble husband for the same cause.

Shewe me in any country in the world where so many noble virgins have voluntarily forsaken the company of their friends and kindred, repudiated the riches and delights which they might justly have expected, and banished themselves to live a poore and religious life to the great edification of the whole world.

And I may as wel say, let any country in the world besides shewe so many noble ladies, countesses, marquesses, and dutchesses, who rather than they wil offend God with a word against their consciences in point of religion, are at this present banished out of their country, stript of all they have, and with great example live a meane life retired in religious cloysters.

And if those of the weaker sex have been so couragious, to the honour of their sexe and wonder of the world, what shal we thinke of those who by nature are more valiant and magnanimous? This author, speaking of the innumerable martirs that have been in England put to death for this cause saith: *Quot illi sunt, sciri non potest, tanta est illorum multitudo.* He reckons up in particular one cardinal, three archbishops, seventeene bishops, one abbot, foure priors, foure whole convents which were put to death with all their religious, thirteene deans, fourteene archdeacons, aboue threescore chanons of cathedral churches, three hundred aud fifty priests of noble birth. In very few years the Romane colledge and the colledge of Rhemes alone yielded wel nigh a hundred martirs.

Besides these of the clergie, others that have beene put to death and suffered much are without number, amongst which there hath been fifteen rectors of colledges, five-and-forty doctors of divinity, fiftene doctors of the civil lawe, eight doctors of phisike, eight earls, eight lords, twenty knights, about two hundred gentlemen, and innumerable others of inferior sorte; besides those which since this Parliament begunne have suffered death, imprisonment, banishment, with the losse of all their goods.

There is a passage in this sermon of singular interest to us at the present day. The whole English Hierarchy at the suggestion of the Sovereign Pontiff, on the 29th of June, 1893, made a solemn dedication of England to St. Peter and our Lady, and it was proclaimed that England had been, and still was, St. Peter's Patrimony and our Lady's Dowry. Many frivolous words were uttered by those outside the Church, as if this claim was some new invention. It was, therefore, though not a surprise, yet a singular pleasure to the present writer to light on the following remarkable example of the hopes of English Catholics in the early part of the seventeenth century :

Many great hopes we have of this [the return of England to the faith]. First, because never any kingdom had so many kings and queenes canonized by the Church as England. Secondly, because never any kingdom had been so bountiful to the Church as England hath beene. . . . And this is the reason that *England in former times hath been called St. Peter's Patrimony*. Thirdly, because England hath beene alwaies extraordinary devout to the most B. Virgin Mary, the true reason why *it hath been alwaies called the Dowry of our Blessed Lady*. And this seems to me the reason why no kingdom of the world hath ever yeilded such plenty of innumerable unspotted virgins, who following the standard of the B. Virgin have prized their virginity before crownes, kingdoms, and empires. Last of all you must know that England is a kingdome properly belonging to Christ and his successor St. Peter. It is very worthy of observation that which we read to their purpose in diverse authors of great note and especially William of Malmsbury and Alredus Cisterciensis make mention thereof. The holy bishop Brithwold seeing the kingdom wasted by the Danes and the foyal sun in a manner extinct, he most earnestly commended the good of the kingdome and Church to God in his prayers. For his comfort the B. Apostle St. Peter appeared unto him, bidding him be of good cheere, for God would remedie all and provide for that kingdome. And the reason heerof he delivered him in these termes: *Regnum enim Anglorum regnum est Christi et meum*—"Be of good cheere," saith St. Peter to the Bishop, for the kingdome of England is a kingdome belonging to Christ and to me."

If then England hath had so many holy kings and queenes, if England hath been so bountiful to the Church; if it be St. Peter's Patrimony, if it be the Dowry of the B. Virgin, if it be the kingdome of Christ, shall we not be confident that so many kings and queens wil intercede for us? Shal we not be confident that St. Peter will plead for his Patrimony? Shal we not be confident that the B. Virgin wil demaund of Christ her Sonne the right of her Dowry? And shal we not be confident that Christ the Sonne of God wil beg of His heavenly Father to restore unto Him His kingdome?

Such were the hopes entertained by our forefathers even amidst the desolation of Cromwell. May we not consider the great solemnity of last summer as the justification of their hopes, the answer to their prayers, and the pledge of greater mercies awaiting England in the future, if only Catholics persevere and advance in devotion and in zeal?<sup>1</sup>

T. E. BRIDGETT, C.S.S.R.

<sup>1</sup> From a study of the *Collectanea* of Brother Foley, I am inclined to attribute these sermons either to Father Edward Worsley or to Father James Montford, *alias* Mumford, or to Father Richard Thimelby, author of *Purgatory Surveyed*.

## *The Oxford School and Modern Religious Thought.*

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IN our recent notice of *William George Ward and the Oxford Movement*, we dwelt almost exclusively on the author's very able analysis of the nature and outcome of Tractarianism, while of Dr. Ward himself we spoke but incidentally, in so far as he took a leading part in that movement. Here we propose, in dealing with this volume together with its sequel, *William George Ward and the Catholic Revival*, to fix our attention mainly on the portrait which Mr. Wilfrid Ward has given us of his father, and to notice his treatment of the Revival and other more or less kindred topics only so far as they are the necessary settings and surroundings of the principal interest. But before all we have to express our gratitude for two volumes full of useful information, of just criticism, of a careful appreciation of facts and theories, and yet withal so animated and entertaining that in spite of the sober and abstruse character of much of the matter, our interest never flagged for a moment, and the end of our labour was most unwelcome. We must also express our admiration of the perfect impartiality with which the author treats his subject, beyond all that could reasonably be expected of human nature under the circumstances. It reminds us of the exceedingly abstract and disinterested regard which Dr. Ward had, or rather professed to have, for his own relations, including his children. Mr. Wilfrid Ward criticizes his father as fairly as he criticizes Newman or Mill, and even if we do not always quite agree with him, yet we never have the slightest inclination to make any allowance for filial bias. It is not then due to any such bias, but simply to the fidelity of the portraiture and the intrinsic loveliness of the original that we close these volumes, not only with a clearer understanding, but with a deepened reverence and esteem for William George Ward.

It is with the greatest diffidence that we attempt even a very rough delineation of his character as it appears to us in these pages. The simplest things are impossible to define, hard to describe; and the simplicity of the character in question is one of its more prominent points. If, however, we were forced to resolve it into two radical elements, we should be inclined to say that it owed its distinctive peculiarities and properties to a somewhat rare combination of intellectual keenness and subtlety with an intense ardour and enthusiasm of temperament. Tranquil placidity, freedom from strong feeling and sudden impulses, are usually reckoned among the necessary conditions of successful reasoning and abstract contemplation. We are not surprised to find Mill described as "clear, calm, cold;" but we certainly should not have expected that one so very like him in his pure intellectualism, should be so utterly unlike him in temperament and disposition. Similarly we feel it would be unreasonable to expect to find in one so warm and fervid as Faber that logical acumen which is so conspicuous in Dr. Ward, who nevertheless in point of zeal and intensity of feeling was no whit behind him. In other words, we can hardly conceive two men more out of sympathy than Mill and Faber, yet Ward under different aspects was in closest sympathy with both. It is not then an unfair inference that his mental vigour must have been of no ordinary measure to assert itself so persistently, notwithstanding his eager impulsive nature. Still it must be allowed that this same intensity and thoroughness kept well in hand, and firmly directed, was itself a motive-power in his mental life and enabled him to throw himself into his dialectics as eagerly and earnestly as into any other labour of his choice, whether play-going or piety. As to this intensity of temperament, we are told that even as a child his tastes were very marked, his likes and dislikes always extreme; and at all times his habitual vehemence of expression, his superlatives, laudatory or vituperative, his abruptness, his impatience of preludes, preambles, and formalities were all so many utterances of his irrepressible enthusiasm and energy of soul.

His emotional excitability sought a natural and innocent outlet in the opera and the drama, to which he was passionately devoted. We say innocent, for his pure mind, like the sunlight, seemed never to have been troubled or sullied by what it rested upon or passed over. When his head was wearied out with

theology or metaphysics he was wont to have recourse to French plays. Their intensity was their chief merit in his eyes. "This is a delightful play," he explains. "Truly French. The height of romance and self-devotion, as long as it can be combined with breaking a large proportion of the ten commandments. . . . I read these things so fast now, that I sometimes get through six in an evening, being fit for nothing better. . . . I therefore wrote to Stewart to send me every French play that has ever been written. I am leaving them to you in my will." Dulness was to him simply intolerable. It fretted him to witness it in others—even in dogs. He insisted on their being made to look cheerful. The melancholy and depression to which, by a physiological law of equalization, men of his temperament are so subject, drove him to look for relief in the most fantastic and outlandish nonsense that ever shocked men of a sober and matter-of-fact cast of mind. "The situation seems to me, Mr. Ward, to be one of the utmost gravity. . . . Let us not at such a time give way to levity and hilarity." He is a standing proof to us, if proof were needed, that there is no incompatibility between the deepest mental and moral seriousness and a playfulness and humour carried almost to the verge of boisterousness; between Ward the profound theologian and metaphysician, and Ward the "dancing Aquinas," impersonating Cupid or "a-hacting of a Cherubime." It is but the same spirit in a different embodiment.

This impulsiveness and warmth of character told very considerably on his intellectual life. We learn from one who knew him that he could not bear twilight. As soon as evening drew on, he used to call at once for candles or light of some kind. So in the world of thought, twilight was an abomination to him. Hence we may probably account for his predilection for pure mathematics and abstract mental philosophy; his dislike of history and of those concrete sciences which require so many delicate balancings of evidence, such patient suspense of judgment, such resignation to inevitable uncertainty, or, at the least, to rough approximations to truth. He professed with characteristic vehemence that he was utterly incompetent in these matters and knew absolutely nothing about them. We can easily see that his inability, such as it was, was moral more than intellectual. He could rest in the conviction of his utter ignorance or in the conviction of his utter certainty. These were clear-cut, well-defined positions. But he had no patience

with the borderland where darkness and light shade into one another. Half-knowledge was for him no knowledge; nay, it was absolute and complete ignorance.

He disliked moderation and compromise so much that one of his chief delights was to make "moderates" stare aghast. He sought out with a sort of malicious ingenuity the furthest extreme to which some tenable principle could be carried in the abstract, and then propounded it in the most startling and imprudent form.

His rationalism, which in some measure dominated him throughout, was largely due to this impatience of the indefinite. That reason and reason alone should be the ultimate criterion of truth, in matters apart from faith, was a clear and simple position. Hence his keen sympathy with Bentham and Mill so far as they were rationalists; and his antagonism to the experimental philosophy so far as importing uncertain and contingent elements into the world of thought.

We feel that in later years he was but true to himself when he threw in his lot with the extreme ultramontaniam of the *Univiers*, which held that the Pope and the Pope alone was not only the infallible interpreter and exponent of the mind of the Church, but was in some sense himself the mind of the Church; a proposition which the history of the Vatican Council has shown to be quite untenable. Little as he sympathized with the narrow extravagances of that party, with their intolerance and lack of charity and courtesy, yet their main thesis commended itself to him on account of its precision and distinctness. It was a relief to him to feel that the Pope's doctrinal utterances were practically independent of the sense of the faithful at large, of the investigations of theologians, of the deliberations of Councils, that he was the Church in epitome. It was well indeed to bring the two together and to compare them—the mind of the Pope and the mind of the Church; to confirm our faith by witnessing their marvellous agreement. But such an approximation was not essential to the formation of the Pope's mind. He did not admit that the Papal Infallibility and the mind of the Church were related as a faculty and its object; that the opinions of the schools and of the faithful at large, being themselves indefinite and disputable, furnished the very matter of definition; that the Pope could no more define without previous reference to the mind of the Church, than a man could see without a visible object. Ward was anxious to dispense

the Pope from the use of any such elaborate and delicate criteria of development as Newman has furnished us with in his essay. He would have gladly exempted the children of the Church from all the labour and anxiety attendant on the evolution of Christian doctrine, and its harmonization with the ever-new results of history and science. It is indeed a difficult and complex problem at times to ascertain the mind of the Church on a given question, as we learn from the history of the Councils. Dr. Ward cut short the process and evaded the difficulty by a theory which regarded the Pope's private mind as the mind of the Church. Thus indeed the Pope's personal theological views, prior to all formal utterance, would in virtue of his prerogative of infallibility have a value over and above those of a mere theologian, namely, in the same way that any morally universal belief merits interior deference as being presumably the mind of the Church. Hence he could not see why the Pope should not issue dogmatic decisions with the regularity of a daily paper and banish from the minds of the faithful every lingering shadow and obscurity. Of course theologians in that case would find their occupation gone, obscurities being to them what diseases are to physicians or disputes to lawyers. Dr. Ward, however, would have retained their services for the exposition and interpretation of Papal utterances, always of course under correction and supervision.

This view was certainly clearer, and simpler, and in many ways more convenient than that which was eventually approved. It might have been true had not Christ ordered it otherwise. To us it would have seemed still better if He had conferred the gift of inspiration on His Vicar; it would have simplified matters considerably. But taking things as they are, it is in the collective mind of the Church at large that the seed of the word is sown and germinates and develops. The history of most dogmas shows us first a stage of simple indistinct acquiescence; then, as it becomes a matter of closer study, there arises dispute and controversy; finally, there is an appeal to authority and an infallible definition. It is Peter's prerogative to decide what the mind of the Church is, but he cannot hurry the workings of her mind; and two hundred million minds work slowly. Many Anglicans misunderstand this, when they ask how it is that in early times there was so much wrangling and controversy about dogma when the obvious expedient would have been to appeal at once to the Pope, had his infallibility been admitted. The



Pope has received no power of revelation, but only the gift of infallibly discerning the Church's mind, as soon as it becomes discernible. In early times when intercourse, conferences, and appeals were necessarily difficult, not only were questions much more slowly and laboriously threshed out, but authority was less centralized, and as far as possible delegated to local tribunals in order to avoid the necessity of frequent appeal to Rome.

That the Pope must in a certain sense wait for questions to clear themselves up was a most unwelcome conclusion to a naturally impatient mind. Dr. Ward did not want others to have to endure what he could not endure himself. He hated dullness for himself and for his dogs. He hated waiting and uncertainty for himself and for the Pope. And so he fought hard against temperate ultramontaniam. He was beyond doubt its keenest and most powerful assailant, and did much to bring the controversy to a successful issue by clearing up and defining the views of both sides. The result was an object-lesson in the development of dogma: showing how the able maintenance and defence of opposite theological views is instrumental in laying bare the truth which as a rule lies in the mean.

Not only in this very question, but throughout his whole intercourse with Newman, Ward's impetuosity, his impatience of twilight, his extravagance of expression, his love of extremes, created a continual friction between him and his revered teacher and friend. The very enthusiasm of his devotion and partisanship made him almost a nuisance. He was the Cephas of Newman's disciples in his readiness to rebuke his master's policy of non-resistance, and to brandish his sword prematurely. It can hardly be doubted that he saw the ultimate logical consequences of Tractarian principles sooner than Newman did; certainly he saw them with a more perfect abstraction from all their practical surroundings and results. These latter were everything to Newman, and to Ward, nothing. Newman had fought hard for Anglicanism, and felt bitterly disappointed when its essential, ineradicable Protestantism was forced upon him. Ward never really cared about Anglicanism except so far as he hoped to identify it with "Romanism." Anglicanism for Newman was something very concrete, something with which his deepest affections were linked in a thousand ways; for Ward it was a system, a set of principles, an abstraction. And so as to "Romanism," the principles were everything to Ward, who concerned himself little about their concrete applica-

tions or misapplications, while these latter were ever entering into and modifying Newman's judgment of the case. He was constitutionally unable to sympathize with Newman's sensitive diffidence and apparent hesitation of character, due to a habit of mind which was not content with considering naked principles apart from the almost infinite details of their concrete clothing.

To Ward, anything in the way of economy or diplomacy was unintelligible and irksome. It is to his urgency for a more open show of hand that we owe "Tract 90" and the storm that followed it. "He considered that he was helping the cause by throwing Newman's views and their consequences into definite logical form, by translating them from the language of suggestion into that of complete categorical statement;" and this at a time when Newman professed to be uncertain as to the limits of his own opinions. He found an acute pleasure in the extremest and most shocking formulation of his own "Romish" views; boldly characterized Newman's interpretation of the Articles as "non-natural," and defended and gloried in the same. He thoroughly enjoyed the excitement of controversy, rejoicing in dialectics as a giant to run his course. He loved to give as well as to receive sturdy blows. But the victims of his wrath were never persons, but only principles. His power of abstraction separated the two completely, and the warmest personal affection was in him often united with the direst intellectual antagonism towards the same person. For others, less ideal and abstract, controversy meant in reality alienation and heart-burnings: and they shrank from it as from the natural enemy of charity and gentleness: but to this extraordinary man their shrinking was inexplicable.

He could not understand why Newman held back, and failing to drag him on fast enough, he left him behind, reluctantly indeed, and only in deference to what he conceived to be the more imperious demands of duty; for Newman, he had said, was his pope, and he had expressed his readiness to give up any single opinion that could be shown to be disapproved of by his guide. We cannot, however, resist the painful impression that his loyal devotion was often a cause of more annoyance than gratification to his friend.

From what has been said so far we hope it may be seen how much Dr. Ward's gigantic mental force was directed, modified, and influenced by his characteristic impetuosity, which made him

intolerant of vagueness, uncertainty, and suspense. To adduce evidence of his intellectual keenness, breadth, depth, and strength, would lead us into a more detailed examination of his theology and philosophy than space or time will allow us to do in the present article. We may assume it as incontestably admitted by all, whether disciples or opponents. We shall, however, fail to understand his intellectual life aright, if we leave out of account his extreme moral truthfulness, and his fidelity to conscience from first to last. We need not here linger on his own favourite thesis, that the pure in heart shall see God; that those who accustom themselves to hear God's voice speaking to them through conscience, will not fail to recognize its familiar tone in the true religion of Jesus Christ. Had he been less perfectly honest and sensitively conscientious, his natural ardour and impetuous enthusiasm would without fail have swayed and distorted his judgment with the most disastrous results. His relentless reasoning would have carried false principles to their most pernicious conclusions. He was a man with immense capacities for going wrong. From his earliest years he had the most vivid conception of claims of duty, and of the need of self-restraint and self-discipline, and the fruit of his practical fidelity to these claims is seen in the tenacity with which the first principles of conscience were rooted in his mind. They were to him as ultimate and irresolvable as the principles of geometry. Their contradictories were as unthinkable; so much so that the proof from conscience seemed to him the only satisfactory basis for theistic and Christian apologetic. Even as a boy he was possessed with the idea of devoting his best gifts and energies to God's cause. It was the high moral tone of Arnold's teaching that drew him into the number of his disciples; and when his keen logical perception showed him that Arnoldism must lead eventually to intellectual positions destructive of Christian morality, he still hesitated to put himself under Newman's guidance until he recognized that the Catholic system offered a reconciliation between intellect and conscience, and thus satisfied his own spiritual needs. Similarly we find that his "ideal" of a Christian Church is that of a God-given aid and complement of conscience; an institution whose one final aim is to sanctify souls, and to lead them into communion with God. This idea followed up to its practical consequences brought him very soon into the Church of the Saints.

Having chosen conscience for his guide, he could not be

otherwise than intensely and enthusiastically faithful to its lead.

Hardly distinguishable from the point we have just been considering, was his love of truth and horror of all pretence and affectation ; in the expression of which he displayed his usual vehemence. If on any point he was not certain, or only partially informed, he professed absolute and utter ignorance and incapacity ; not indeed from any false modesty or desire to be thought modest, but because to his impatient mind half-knowledge was no knowledge. He knew exactly his own mental strength and spoke of it frankly, but he also knew his weakness and limitations. Indeed he regarded himself always with the impartiality of a distant uninterested observer. He never professed any reverence for mere intellect as such, any more than for muscular strength. It is hard to imagine his most brilliant achievements causing in him the slightest flutter of vanity. It was his perfect intellectual honesty and simplicity that won for him the regard of all men, even those who differed from him diametrically in nearly everything. We feel that he was really the bond that kept the Metaphysical Society together, the common friend of the most antagonistic thinkers ; and indeed it did not long survive his retirement. In the matter of personal piety he characteristically regarded himself as hopelessly and irreparably deficient ; and rather than that any one should be for a moment deceived, he studiously avoided any outward demonstrations of devotion and even affected a certain profanity somewhat shocking to the very "proper." And surely we may trace to this same dislike of assumption and dignity the childlike gaiety and perfect *abandon* of his hours of recreation ; his love of burlesque, his ruthless disregard of decorous stiffness and conventionalities. In truth, no man ever realized more fully the vast difference between what is really great and eternal, and what is trifling and contingent. His fault lay, not in exaggerating the importance of the former, but in impatiently contemning the latter as of little consequence, and therefore for him of no consequence ; still it was the fault of a big mind. He spoke of himself half-jestingly as a "bigot ;" but nothing could really be more alien from a mind like his than bigotry or narrowness. A limited view is not necessarily a narrow or bigoted view. Ward looked at most questions in the light of pure reason, but he recognized his aspect as a partial one, he was fully conscious of his deficiencies ; always docile and

willing to learn, however vehemently he might defend his own view so far as defensible. Where there is docility and a childlike humility of soul, there never can be narrowness. Ward was a child, in the best and most lovable sense, to the very end of his life.

And now we must desist from a task which we feel is so much beyond us. Mr. Wilfrid Ward has presented us, as we have said, with a living breathing portrait of his father which we have contemplated with intense pleasure and, we trust, with a certain amount of true appreciation ; but in our endeavours to reproduce even the roughest outline-sketch of our subjective impression, we are conscious that it must in many respects fail in bringing out the lineaments of the original.

G. TYRRELL.

## *Faculties for Confession.*

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### PART II.

THE most remarkable feature in the Puseyite and Ritualist movements is the introduction of the practice of confession into the Church of England. It was not possible that the doctrines of the Catholic Church should be taught to the extent which has prevailed of late years in the most advanced section of Anglicanism, and more especially the efficacy of sacramental grace and the powers of the sacerdotal office, without a revival of the practice that follows from those doctrines. The natural result of teaching that Christ has committed to His priests the power of forgiving sins, is that those who accept this teaching, should say to the teacher who proclaims himself to be a priest, "Hear my confession, and give me absolution." The clergy, nothing loth, have accepted the invitation, and the practice of auricular confession has sprung up, and become an important part of this wonderful movement outside the pale of the Catholic Church. But the Anglican Bishops, as a body, look on the practice with strong disfavour, and thus it has become purely clerical and sacerdotal, without support from Episcopal authority. The practice that now prevails therefore is that clergymen of the Church of England hear the confessions of any penitents that present themselves, not only in their own parishes, but even in any diocese without reference to the Bishop of that diocese. Such was Dr. Pusey's practice, and we have never heard of any clergyman who claimed to hear confessions in virtue of the special leave of the Bishop. Judging from their published books, it would appear that the Ritualist clergy do their best to follow the theology and practice of Catholic confessors in all that concerns the confessional. In this particular, however, which underlies all the rest, they are far from their models. They are aware that Catholic priests never hear confessions unless they have received faculties for confession from the Bishop; and further, they know that, in virtue of

faculties for hearing confessions in one diocese, a Catholic priest cannot hear confessions in another. They probably, if they think of it at all, look on their position as irregular, and their complete independence of the Bishop in the matter as an unfortunate necessity. But Catholics go much further, and tell them that, even if their sacred orders were undoubtedly valid, their absolutions, given as they are giving them, would be null and void. Faculties are essentially necessary for the validity of sacramental confessions, and faculties they have not got. They answer that at their ordination the power of forgiving sins was imparted to them, and that all restrictions on the exercise of that power are modern—or, as a Ritualist clergyman put it, when taxed with hearing confessions without faculties, “if you only go back to the twelfth century, you find that there were no such restrictions on confessors.”

The first and most natural reply is that we belong to the Church of the nineteenth century, and that it is simple Protestantism to appeal from her to anything whatsoever. There is a story told of a High Church clergyman thirty years ago, making his appearance before [his Bishop at his visitation in a white silk cope, embroidered over with fishes. “What is this, sir? What is this?” said the Bishop, shaking it. “Oh, St. Chrysostom wore a cope like that, my lord.” “But St. Chrysostom was not your Bishop, sir,” was the Bishop’s very reasonable retort. And the twelfth century is not ours, nor its laws our guide. The Church of to-day and her teaching is our sole divine authority. We have but a poor idea of what the Catholic Church is, if we do not take for granted that her principles in the twelfth and in the nineteenth century are identical.

But is it true that to require faculties for confession is a modern innovation? If it be so, are we to acknowledge that God has given to all priests in their ordination the power of forgiving sins, and that a disciplinary law limiting or prohibiting the use of that power may make its exercise irregular, perhaps, but cannot render it invalid. This is the High Anglican position, and its holders are accustomed to attribute the introduction of the present system of faculties for confession to the twelfth century, and to speak of the legislation of the Council of Lateran and the subsequent discipline of the Church as “restrictions.” It is instructive to notice how little of restriction there is to be found in the change. The Regular has had to go



to the Bishop for his leave ever since the time of Boniface VIII. Any priest could obtain jurisdiction from a parish priest, but only for that priest's parishioners; and now he obtains from the Bishop jurisdiction that extends through the whole diocese. To the faithful the change has been a removal of restriction rather than its imposition. Before it, unless they had access to a delegate of the Pope or of the Bishop, they were obliged to go, except in cases of lawful absence, to their own parish priest or to his delegate, and now they may address themselves to any priest who hears confessions. It is plain that the modern system, instead of being a restriction of jurisdiction, is really a much wider and ampler concession of it. Every confessor in the diocese is now the *proprius sacerdos* of each person as far as the confessional is concerned. The Ritualist means of course that the modern system is restricted in comparison with his idea that confessions may always be heard anywhere by any validly ordained priest; but unless he believes the Council of Trent to have falsely declared that ordinary or delegated jurisdiction was always necessary, and unless he considers the doctrine to be a modern corruption on which the practice of the last six centuries is founded, he can hardly expect that, when we come to examine the records of the Church before the Fourth Council of Lateran, we shall there find a freedom of practice which would have involved a diversity of doctrine on this momentous subject. Meanwhile, it may be of service to the Ritualist to observe that the doctrine has not been invented for polemical use against himself, but that it pervades all the legislation of the Church respecting the Sacrament of Penance. This will surely be sufficient to cause him some misgiving when he finds himself acting habitually in contravention of it. Nothing less is at stake than the validity of the sacrament of reconciliation, even on the hypothesis of the Anglicans that they are the true descendants of St. Augustine and St. Thomas of Canterbury.

We return to the famous decree of the Fourth Council of Lateran.<sup>1</sup> Its terms, in that portion of it which relates to confession, we here repeat. "Every Catholic of either sex who has come to the years of discretion, must alone at least once a year faithfully confess all his sins to his own priest [*proprio sacerdoti*]. . . . And if any one shall desire for a just cause to confess his sins to a priest who is not his own [*alieno sacerdoti*]

<sup>1</sup> Cap. *Omnes utriusque sexus*, De poenis et remissione, lib. v. tit. 38, c. 12.

let him first ask and obtain leave from his own priest, as otherwise he [the priest] cannot absolve or bind him."

The Ritualist contention respecting this Canon is that it established the restriction it speaks of, and that, before it was issued, the faithful could go to any priest they chose, without any necessity for leave or faculties from the *proprius sacerdos*—be he Pope, Bishop, or parish priest. Those who base their practice on such a supposition, should ask themselves fairly whether it is even plausible. *Could* such a restriction be so introduced? It must be remembered that a change, such as is here supposed, does not affect simply the clergy. The restriction binds the laity, *omnis utriusque sexus*, every Catholic, man, woman, or child, that has come to years of discretion. The Ritualist's supposition is that these were all, speaking generally, in the habit of going to confession at least when it was of obligation, and that for this purpose they might choose freely amongst all the priests to whom they had access. Of this liberty a law deprives them, and henceforward, bound as before by a precept of the Church to go to confession at certain intervals, they lose the power of choosing their own confessor, and with the exception of those who can have recourse to the Bishop, the mass of mankind become suddenly bound, before the introduction of the Mendicant Orders, to go to confession to their parish priest, or to ask his leave to go to any one else.

We answer first that the law of Lateran was accepted throughout Christendom without a remonstrance. The laity do not complain that an intolerable restriction has been placed upon their liberty; but, if a difficulty is made, it is in the shape, as we have already seen, of a clerical protest against the new powers of the Religious Orders. Now, is it conceivable that such a restriction could be introduced into the Universal Church, and not a word be said against it? We would venture to say that it would be simply impossible to introduce such a law as a novelty. Could it be done now? The faithful now are left free by the Church to go to confession to every priest who holds faculties from the Bishop. If the Council of the Vatican were, on its reassembling, to recall us now, not to the spirit, for that still prevails, but to the letter of the Lateran Canon, and were to exact that we all go to confession to our parish priest, or else to ask his leave or the Bishop's to go to confession to any one else, would it be practicable to enforce

such a law? And is there the least probability that, if such a law were enacted and enforced, after ages would find no trace of trouble on the part of the ecclesiastical executive to carry it out? Yet after the Council of Lateran we have no trace whatever of any but the most natural and simple acceptance by all persons, clergy and laity alike, of the provisions of the Canon that required confession to be made to the parish priest or Bishop, or if to another priest, then only by the leave of one or the other. The Pope's delegates in the person of the Mendicant Friars had, it must be remembered, not yet come on the scene, though it was not long after that they received their first mission from the Holy See.

This very Council of Lateran we hear quoted by ultra-Protestants as the author and inventor of the Sacrament of Penance. A Ritualist would doubtless answer them, as we should do, that it is absurd to suppose that men would accept so tremendous an obligation from merely ecclesiastical authority. God can impose what conditions He thinks proper on the forgiveness of sins, and man is thankful to accept forgiveness from Him on such terms. He may say, "Go show thyself to the priest," and the sinner will gladly go, thus to be relieved of his burden. But if God had put no such conditions whatever, to have them imposed by men would be intolerable; and we may fairly argue from the mere fact of their general unresisted acceptance that they were no novelty. And so we say, with somewhat less force, but still with very great force, that if from the earliest times the faithful had been free to choose their confessor where they chose, and even, as the Ritualist understands this freedom, to summon a strange priest for the purpose from another diocese, nothing short of a stupendous miracle could account for the peaceful acceptance by the faithful throughout the world of such limitations as then would have been for the first time imposed by the Council of Lateran.

And now that we turn our attention to earlier times, two things we feel ourselves justified in asking of the Ritualist whom we are addressing. We have a right to assume that the presumption is on our side. When anything appears clearly in Church discipline, and there is nothing in the wording of the law or in the concomitant circumstances to show that it involves a change, the very tenacity with which the Church and all her members adhere to tradition justifies us in taking for granted that it is no innovation. Silence is then to be

interpreted by this presumption. We must take for granted that earlier writers had the same in their minds, unless the contrary can be shown. And hence, secondly, the Ritualist should remember that the *onus probandi* rests with him. He calls this restriction a novelty; let him try to prove that it is one. We cannot say that the records of the past on this subject are so ample that we can establish a complete *catena* of evidence in our favour. We can only promise to bring forward all we can find, and we have but to remind the Ritualist of what on some other points he would himself maintain, that the present teaching of the Church does not need, prior to its acceptance, the exercise of private judgment, either on the Bible, or on the voluminous records of early ages.

We must begin by disclaiming two passages, which have been quoted in support of our position, and which certainly present a sufficiently tempting appearance. Careful investigation has however shown us that they are inapplicable to our present question, and in a history of faculties for confession it is desirable that it should be recorded.

At first sight it would appear that Innocent III. borrowed the terms of his law from a French Council celebrated just a century before that of Lateran. The collections of Councils by Labbe and Hardouin, give the decrees of a Synod of Toulouse held in 1129. One of these runs as follows: "Every one of either sex, after having come to years of discretion, must make confession of his sins three times in the year to his own priest, or to another by his will and command, fulfilling the penance enjoined him humbly and to the best of his power, and three times in the year, at Christmas, Easter, and Pentecost, receiving the Sacrament of the Eucharist with all reverence, unless perhaps for some reasonable cause he abstain for a time from Its participation at the counsel of his own priest. Let the priest be careful about these things, that by inspection of the names they may know whether there are any who avoid Communion. For if any one abstains from Communion except by the council of his own priest, let him be held as suspected of heresy."

But in truth this Council of Toulouse was held in 1229, and consequently after the Council of Lateran. It was celebrated by Romanus, Cardinal Deacon of St. Angelo, who in that year reconciled Raymond VII., Count of Toulouse, to the Church, and the acts of the Council are entirely directed to the extirpa-

tion of heresy from Languedoc. The Canon quoted above shows traces of this object. The substitution of three times a year for the single obligation of confession and Communion was not, as some have thought, an increase of the number, made in order that heretics might thus be more easily detected, but it was in consequence of the local custom, which was not contrary to, and therefore not abrogated by, the lesser requirement of the General Council of Lateran. The Canon of Lateran was received in England in precisely the same way. Thus the Council of Durham, held probably in 1217, said: "Let confessions be heard three times in the year, and let them be admonished to communicate three times, at Easter, Pentecost, and Christmas. But let them first prepare themselves by some abstinence to be made by the counsel of the priest. Whoever shall not have confessed to his own priest at least once in the year, and not have received the Sacrament of the Eucharist at least at Easter, unless by the counsel of the priest he has thought it better to abstain, let him when living be shut out from the Church, and after death be deprived of Christian burial, and let these things be told them frequently."

The second passage to which we refer has been curiously misunderstood. It has been taken to be a declaration of Innocent III. that his law in the Lateran Council was not new, but in accordance with ancient as well as modern enactments. If this were so, it would have been a valuable testimony from this most learned Pope of the antiquity of the law he had made. The words are: "Bringing in nothing new to your grievance, but adducing ancient and modern laws, we strictly charge and command your whole body [*universitati vestræ*] by these Apostolic writings in virtue of obedience, that you do not rashly for the future receive the parishioners of others on Sundays and holidays in your churches to Divine offices, and that you do not admit them by any means to penance without the leave of their own priest; since if any one desires for a just cause to confess his sins to a priest who is not his own, according to the law of the General Council, he must first ask and obtain leave from his own priest, or at least first confess to him and receive the benefit of absolution from him. For otherwise he cannot be absolved by him, for the double cord of power and of knowledge is required, and one of these is plainly wanting in the priest who is not one's own."

This letter is dated, "Naples, the 11th of the Kalends of

December [November 21], in the twelfth year of Our Pontificate." Innocent III. was not at Naples, but Innocent IV. died there in the twelfth year of his Pontificate, 1254, on the 7th of December. The letter in question was written therefore by him, and that just before his death. Its object was to interpret the Council of Lateran in a sense adverse to the Mendicants, but it was as short-lived as it was possible for a declaration to be. Alexander IV. was elected on the 21st of December, 1254, and on the 31st, the day on which he issued his first Apostolic letters announcing his election, he revoked the law made by Innocent IV. against the Religious.

Both these passages have been quoted wrongly by a learned and generally accurate German writer, Dr. Binterim.<sup>1</sup> Natalis Alexander<sup>2</sup> gives them correctly.

The most direct way, no doubt, to establish that the Canon of Lateran was no novelty would be to quote similar laws in earlier times. It must be remembered, however, that to ask for a constant series of such laws would be to ask a great deal more than is reasonable. Heretics had arisen in the time of Innocent III. who rejected the Sacrament of Penance and maintained that the absolution of a bad priest was of no use. It is not certainly requisite that so direct a reason for legislating on the subject should exist, but it must be remembered that *some* reason is necessary. The Popes and the Councils do not undertake to provide a full code of legislation. They provide for evils as they occur, and that is all. Silence, therefore, on the part of Popes and Councils furnishes no argument that a certain discipline did not exist: it only shows that it was undisturbed.

Still, we have not a complete silence on the subject. To begin with, we have a Council held at Paris three years before that of the Lateran, legislating thus: "Let no priest receive confessions without the command of the Superior or of him who has the cure of souls in any parish, people's own priests being left out or despised [*omissis propriis sacerdotibus, vel contemptis*], except in the article of necessity." The discipline of the Lateran Canon is here expressed, though in a different way; and it is very noteworthy that this was in France, which was by no means the country to which Rome would go for her model.

<sup>1</sup> *Die vorzüglichsten Denkwürdigkeiten der Kirche*, vol. v. part 3, pp. 266, 283. Mainz, 1829.

<sup>2</sup> *Historia Ecclesiastica*, vol. xvi. pp. 64, 66. Bingen, 1789.



This was, like the Council of Lateran, in the early part of the thirteenth century. Late in the eleventh we come across a singularly explicit testimony in an ecclesiastical writer. Bernald, a monk of St. Blaise, in the diocese of Constance, was the author of a Chronicle, in which<sup>1</sup> he states that Oddo, Cardinal Bishop of Ostia, and Legate of the Apostolic See in Germany, consecrated Gebehard, son of Duke Berthald, Bishop of Constance on the 22nd of December, 1084, "and the day before, that is, on the feast of St. Thomas, he made him priest with other clerics; amongst whom on the same solemnity he advanced to the priesthood the writer of these chronicles, and by Apostolic authority gave him power to receive penitents." This Bernald then held the office of an Apostolic Penitentiary. He was a man of much learning, and at the request of the Canons Regular of the Monastery of Raitenbuch, he wrote a treatise<sup>2</sup> "on the office of priests." From it we make some copious extracts, as they throw great light both on the practice and doctrine of the time; a century and a half, be it remembered, before the Fourth Council of Lateran. "There are some other things which can be granted to priests at the Bishop's discretion, as the private reconciliation of penitents, for from the public reconciliation we read that they are prohibited,<sup>3</sup> as they are from the making of chrism. They can indeed privately reconcile penitents who have made confession and the sick, but this is if the Bishop shall have so ordered, in accordance with what St. Evaristus the Pope and martyr asserts in his decrees, where he commands that 'priests by the Bishop's orders may reconcile penitents from hidden sins, and may absolve and communicate the sick.' So the Council of Carthage in its seventh chapter says that those who are in peril may be reconciled by the priest, in the Bishop's absence, but by his orders. And it is to be noted that priests are not permitted to exercise private reconciliation except specially by order of the Bishop. Even the priests of the Holy Roman Church are not accustomed to exercise it unless they are permitted to do so; and

<sup>1</sup> Migne, *Patres Latini*, vol. 148, col. 1387.

<sup>2</sup> *Ibid.* col. 1245.

<sup>3</sup> The same distinction between private and public reconciliation is made by Gratian in the year 1151, together with the passage attributed to St. Evaristus. The latter is quoted by Burchard, Bishop of Worms (1026), and St. Ivo, Bishop of Chartres (1115), but the words are not to be found in the *False Decretals*. It is important to notice what in the eleventh and twelfth centuries, and indeed in the middle of the ninth if we go to the origin of the *False Decretals*, was considered to be in accordance with the idea of what a Pope early in the second century would have written.



the Roman Pontiff does not grant this to all whom he ordains, but to some only whom he foresees to be fit to fulfil this duty. And the Blessed Anselm, Bishop of Lucca, granted to few priests in his diocese to receive penitents, although he everywhere ordained many. And so have other Bishops been accustomed in their dioceses hitherto, who would be more diligent observers of the Canons. Wherefore it seems to be sufficiently plain that priests are accustomed to reconcile penitents, not so much in virtue of their own consecration as by the good pleasure of the Bishop's concession."

Bernald draws an argument from the form of ordination in use in his time, when the words *Quorum remiseris peccata* were employed in the consecration of the Bishop, but not in the ordination of the priest. He seems to think that if they were so used, a general leave for hearing confessions would be intended by the Church. It must be acknowledged that our author does not distinguish accurately between order and jurisdiction as St. Thomas of Aquin two centuries later would have taught him to do, and indeed he seems to us, in spite of the defence set up for him by his editors, to fall into another and the opposite error, and confound the orders of Bishop and priest. But on the discipline of the Church in his own and previous times, he is not on this account a less important witness, and nothing can be more explicit than his testimony. "And parish priests [*parochiales presbyteri*] to whom the pastoral care over the people is committed by the Bishop, in that very commission it is not to be doubted have received the right of receiving penitents, as this seems especially to belong to that care. But this care is not committed to them at their ordination, and they presume not to take this power to themselves until the Bishops grant it to them: for if they were so to presume, they would rather bind themselves by their presumption than absolve their penitents by their reconciliation, that is, if ignorance of the presumption did not excuse those who receive [absolution] in all simplicity." On this passage we may admit the editorial note which compares this statement with the teaching of modern theologians that when a Catholic priest who has not jurisdiction hears confessions, and by a common error he is believed to have it, then for the public good the Church supplies the necessary jurisdiction.

Bernald thus concludes his paragraph: "Bishops are accustomed very often to give the right of reconciling to priests who

have not the pastoral charge, as the Venerable Pope Gregory [VII.] and St. Anselm [of Lucca] did to many priests, and very many other Bishops do the same to this day. This very concession we ourselves received from the time of our ordination, and we know that many more have received it from their ordainers." This passage proves clearly enough that the system of delegation for confessions by the Bishop and the Pope was not introduced as a consequence of the Canon of the Council of Lateran.

A certain laxity there may have been at times, but such might have prevailed as well after, as before, the Lateran Council. Gratian,<sup>1</sup> for example, who precedes the Council by about sixty-five years, quotes from a spurious work of St. Augustine the statement that "the penitent must choose a priest who knows how to bind and to loose," and he adds that "this seems to be contrary to that which is found in the Canons, that no one may presume to judge the parishioner of another. But it is one thing to despise one's own priest through favour or hatred, which is what the Canons prohibit; and another thing to avoid one who is blind. Against this the authority [of St. Augustine] warns us, lest if the blind lead the blind, both fall into the ditch. Hence Urban II. decreed that 'henceforward it shall not be lawful for any priest to receive to penance any one who is committed to another priest without his consent to whom he first committed himself,'<sup>2</sup> unless it be on account of his ignorance to whom the penitent first confessed. And if any one shall act against this statute, let him be in peril of his degree," that is, of deposition from the priesthood. Gratian had the extreme disadvantage in compiling his *Decretum*, which he not unnaturally termed, *Concordantia discordantium Canonum*, of having to reconcile many forgeries with genuine Canons. The consequence, however, of the universal acceptance of his work in ecclesiastical law-courts, was that these forgeries also were accepted, and thus real modifications of the law were introduced. Besides, in those times especially, the words of the legislator were not always unmistakeably clear, so that it is not surprising that the ideas of law should not always have been perfectly sharp and clearly defined.

<sup>1</sup> *Decretum*, pars 2, caus. 33, qu. 3, dist. 6.

<sup>2</sup> These words are shown by the context, and by Gratian's interpretation, not to mean that the individual penitent was free to choose. A similar expression, unmistakeably limited by the context, will be found later on.

St. Bonaventure, writing in defence of the privileges of his Friars Minor<sup>1</sup> at a time when the Council of Lateran was in full force, assuming that the precept of the Church required confession to be made at least once a year to the parish priest, gives amongst several others as a sufficient reason why this should not be done, the case where the priest was unlearned, *cum Sacerdos alicujus est idiota, nec scit in necessariis salutis eum congrue expedire*. St. Bonaventure's comment is that "the rigour of positive law, where it is expedient, must be kept, but where it is a hindrance to salvation, it must be remitted." This is said on the supposition that the positive law required the annual confession to be made to the parish priest, but by this necessary relaxation of its terms the Seraphic Doctor never intended to say that the penitent need not mind whether the confessor he chose had faculties for confession or not. The advice to choose a well-instructed confessor is often found in modern books of ascetical theology; and when it occurs in ancient times, as in modern, it must be interpreted with the necessary condition *servatis servandis*. It is hardly conceivable that for long together the faithful were in any place at any time in the Church's history left without any choice as to their confessor. The discipline of the early Church on the subject we will shortly examine, but we must first transcribe the well-known passage of Origen, which presupposes some freedom of choice.

We preface it with the remark that this is the only authentic passage from any ecclesiastical writer of antiquity that even suggests that any such power of choosing a confessor existed. It is of very little service towards establishing the Ritualist theory, that all priests could hear confessions without any special commission for that purpose. All that Origen says is perfectly compatible with the existence of a discipline like that of the Lateran Canon itself, while on the other hand all that we have quoted and are about to quote respecting the restriction of the power of hearing confessions to priests duly authorized, is entirely incompatible with the Ritualist view. All that Origen shows is that there was *some* choice in his time, not that the power of choosing was unlimited. The passage is no longer extant in the original Greek, but we possess the translation of Rufinus, who was a contemporary of St. Jerome.

Origen, then, is writing on the 37th Psalm, and when he

<sup>1</sup> *Quare Fratres Minores prædicant*, p. 342.

comes to the 19th verse, "For I declare my iniquity," the declaration of iniquity, he says, he has often explained to be the confession of sin. "For see what the Divine Scripture teaches us, that sin must not be inwardly hidden. Those perhaps who have within them undigested food or a grave and troublesome abundance of humour or phlegm, are relieved if it be cast forth: and so they who have sinned, if they hide and retain their sin within them, are urged inwardly and almost suffocated by the phlegm and humour of sin. But if a man be his own accuser, while he accuses himself and makes confession, he at the same time casts forth his sin and digests all cause of disease. Only look around you very diligently, to whom you ought to confess your sin. Prove first the physician, to whom you should expose the cause of your sickness, to be one who can be sick with the sick, one who can weep with those who weep, one who knows the art of condolence and compassion: so that, at last if he, who has first shown himself to be a learned and merciful physician, should enjoin you anything, if he should give you counsel, you may do and follow it. If he should understand and see that your sickness is such that it should be exposed and cured in the assembly of the Church, that by it others perhaps may be edified and yourself be easily healed, this must be accomplished with much deliberation and the skilful advice of this physician."

This passage may well be selected for insertion here from amongst the numerous passages in which Origen and other early writers speak of the sacrament of confession,<sup>1</sup> because of the light it gives us as to the way in which in the third century public confession sometimes grew out of private confession. On the relation between public and private penance we have something more to say before we conclude, but at present we are content to remark that even though Origen be understood to be speaking of the practice of the Greek Church only, still he must not be interpreted otherwise than in accordance with the discipline of the Greeks. To ascertain this we cannot have recourse to a better authority than Theodore Balsamon, a schismatical Patriarch of Antioch in the twelfth century. Commenting on a Canon of one of the Councils of Carthage, he says<sup>2</sup>: "By the present Canon it is evidently shown that it is

<sup>1</sup> See them collected in Witasse, *Tractatus Theologici*, vol. v. pp. 222, seq. Venet, 1738.

<sup>2</sup> *Canones Apostolorum, &c., cum Comment. Balsamonis, Gentiano Hervelo interprete*, p. 605. Paris, 1620.

not lawful for priests to hear men's confessions and to remit sins without the Bishop's permission. For it says, If any one shall be in danger of death and seek to be reconciled, that is, to be permitted after confession to be partaker of the Divine sacraments, and the Bishop is absent, the priest cannot reconcile him; but he must ask the Bishop, who holds the place of an Apostle, and has received from God the power of binding and loosing, and with his permission reconcile the man, if it be convenient to make the request. But if the Bishop be very far away, and death is at hand, the priest will reconcile him without asking the Bishop. If then the priest cannot give even the last reconciliation without the Bishop's permission, as not having the power of binding and loosing, much more can he not receive the confession of those who are in health."

On the previous Canon of the same Council Balsamon had made the comment: "Note that if consecrated monks hear men's confessions without the Bishop's permission, they do wrong, much more if lay persons do so, for these not even with the Bishop's permission can do anything of the kind." And he goes on to argue that a statute requiring the prefect of a monastery to hear confessions was a proof that the prefect in question must be a priest. Balsamon could not possibly have expressed himself more plainly in favour of the doctrine and practice of the modern Latin Church. With the modern Greeks it seems to be otherwise, and the Eastern Bishops permit every priest who is authorized to say Mass, also to hear confessions. If this be so, it is the widest possible departure from the discipline of antiquity, but such a practice furnishes no argument in favour of a Ritualist. A Latin Bishop could, if he pleased, authorize every priest who set foot in his diocese to hear confessions, just as the Church gives jurisdiction to every priest, without exception, even though he be irregular, suspended or excommunicated, to hear the confession of a person in immediate danger of death. Or again, in England under the Vicars Apostolic, the Bishops themselves and every priest who held faculties from any one of them, had faculties *ipso facto* granted by all the other Bishops to hear confessions within their respective jurisdictions for a month. A priest who had faculties from one Bishop practically had them from all the Bishops, and could hear confessions even though he should pass from diocese to diocese all over England. But the Anglican Bishops grant no powers to Anglican clergymen to hear con-

fessions and give absolution, much less have they any agreement among them that priests or even Bishops of one diocese exercise jurisdiction in the tribunal of Penance by authority of the local Bishop wherever they go, yet nothing less than this would justify the practice of Ritualist clergymen who hear confessions wheresoever they choose.

If now we resume our search up the stream of time, we can gather some little evidence in conformity with the Lateran Canon. The seventh, eighth, ninth, and tenth or eleventh centuries each furnish us with a witness. And to begin with the last. St. Peter Damian, Doctor of the Church and Cardinal Bishop of Ostia, has a sermon on St. Andrew attributed to him, which is claimed, the Venetian editor of his works says with justice, by Nicholas, a monk of Clairvaux, the amanuensis of St. Bernard. Whichever be the author, he can testify to us of what he was taught. In the sermon in question<sup>1</sup> the following passage occurs. Speaking of confession he says that "it is the way without which no one comes to the Father, and he who has lost it, has lost God. If then you dispose yourself to rise from the abyss of vices, to him especially be your recourse, to whom your soul is committed, whom God has placed over your head. Let it not move you, if he be unlearned or indiscreet; for thus you may give a sign of the humility from which confession springs. Remember that there is no power but from God. 'On the chair of Moses,' it is said, 'the Scribes and Pharisees have sat.' Do not attend to the sitter, but to the seat; look to the chair, not to the person. And if perhaps by his leave you are permitted to go to another, yet first reveal to him the secret of your heart; for there is not full safety if he is avoided or contemned, to whom you are bound to adhere and whom you ought to honour. But if his instruction seems to you to be insufficient, the way to liberty is open, so that you may pour out your heart to another who shall be learned and discreet, provided that you reserve to him his privilege to whom you have commended your soul."

The date of our next extract is the year 827. The writer is Hatto or Ahyto, Bishop of Basle, and it is taken from the *Capitulare*<sup>2</sup> that he gave as law to the clergy of his diocese. After speaking against the practice of the clergy who left their churches without the Bishop's leave either to go on pilgrimage

<sup>1</sup> Migne, *Patres Latini*, vol. 144, col. 830.

<sup>2</sup> *Ibid.* vol. 105, col. 766; vol. 115, col. 14.



to Rome, or on appeal to the palace, he adds, "And let this be declared to all the faithful, that those who desire to go to pray at the threshold of the Apostles, should confess their sins at home and so set forth; for they are to be bound or loosed by their own Bishop or priest, and not by a stranger."

We come next to St. Chrodegang, nephew of King Pepin, and Bishop of Metz from 743 to 766. In the Rule that he wrote for his Canons,<sup>1</sup> he speaks in great detail of confession. The following is to our purpose. "This is the prayer of our penance and confession, which we make before God and His priests. Three times every year, that is, in the three Lents, the faithful people makes its own confession to its priest—and he who does more, does better. The monks make their confession with goodwill every Saturday to their Bishop or prior." Labbe, the editor of the collection of the Councils, is of opinion that the Rule from which this is taken was rewritten by the Fathers of the Council of Aix-la-Chapelle in 816, and he is convinced that the Rule published by him<sup>2</sup> is the genuine Rule of the Canons Regular of Metz, as it was composed by St. Chrodegang. It contains the following regulations about confessions. "We command that even twice in the year our clergy make their confessions purely to their Bishop, once in the beginning of Lent before Easter, and the other time between the middle of August and the 1st of November. Between these days when the Bishop has given leave to any that have need, at another time let them make their confession to the Bishop or to another priest to whom the Bishop shall order it to be made, as they shall choose and require."

Our next quotation will carry us as far up the stream as we can hope to go by this method of investigation. It takes us back to the end of the first quarter of the seventh century. In 625 St. Sonnatius, Archbishop of Rheims, celebrated a Synod of more than forty French Bishops.<sup>3</sup> Among his statutes we read: "Let the shepherd take care of his sheep and not neglect them: let him enjoin upon them to be present at the Sacrifice of the Mass on holydays and Sundays; let him know their face; and if twice in the year any one be absent, let entrance into the church be forbidden him, and let him be without pastoral burial and consolation. In the time of Lent, let no one hear the confessions of penitents but the shepherd; for it is his

<sup>1</sup> Migne, *Patres Latini*, vol. 89, col. 1072.

<sup>2</sup> *Ibid.* col. 1104.

<sup>3</sup> *Ibid.* vol. 80, col. 443.



business to know his sheep, for whom he pledges his soul to the Lord."

The year 625 is far too early for us to find the word *pastor* used in a technical sense for a parish priest, and the editor who first published the statutes of St. Sonnatius was led to think that the word was of later insertion in the passage we have quoted. This conjecture seems unnecessary, as the word is evidently here used on both occasions metaphorically, in close juxtaposition with *ovis*, which never was a technical word for a parishioner.

This brings us to the question which serves as the limit and boundary of our investigation. How old is the institution of the parish, and when and where do we first come across the existence of the parish priest? By a parish we understand a certain territory ruled by the Bishop *mediately* only, and having a priest in charge of the souls of a certain population, entrusted to him permanently and officially, and not merely given over to him temporarily and while the Bishop may be absent or unable to exercise the charge in person.

In the early Church the Bishop was the sole parish priest. Around him gathered the Catholic population of the town and of its suburbs—the country being still entirely in the hands of the heathen, who hence were called pagans. There was but one Mass, and that was the Bishop's. The priests were there and concelebrated with the Bishop, much as amongst ourselves newly ordained priests say the Mass that follows their ordination with the Bishop that ordains them. "On Sunday," says St. Justin Martyr,<sup>1</sup> "all those who inhabit the cities or fields meet in one place, and the teachings of the Apostles or the writings of the Prophets are read to them for a time. And when the reader ceases, the president (*ὁ προεστὼς*) gives them an admonition and exhortation to imitate these beautiful things. We all then rise and utter prayers; and when we cease to pray, bread and wine and water are brought forth; and he who presides loudly utters the prayers and thanksgivings, and the people cries *Amen*, and the distribution and communion of the Eucharist is made to all, and to the absent It is sent by the deacons."

Tertullian, St. Ignatius, and other early writers testify to the usage of primitive times, and the Canons of Councils of later ages show how long it was continued.<sup>2</sup> The early instances of

<sup>1</sup> Migne, *Patres Græci*, vol. 6, col. 429.

<sup>2</sup> Bouix, *De parocho*, p. 18.

an undoubted practice are less interesting than the latest, as we wish to ascertain how long it continued in force. For this reason the following extract from the Capitulary<sup>1</sup> of Theodulf, Bishop of Orleans, is of much interest. It is assigned to the year 797, though Baronius placed it about forty years later. "It is ordered that the private Masses [*missæ peculiares*] which priests say on Sundays, they do not so say in public that the people may be able to hear them, and so be kept away from the public High Mass [*a publicis missarum solemnitiis*], which are canonically said at the third hour. . . . Wherefore care is to be taken that all come to the public holy mother church, to hear Mass and sermon. At the same time it is ordered that in the city in which a Bishop is appointed, all the priests and the people, both those of the city and the suburbs, ought to stay in vestments [*? revestiti*] in the Mass down to the Bishop's blessing and the Communion with devout mind, and afterwards if they please, return with leave to their titles, the blessing and Communion having been received. And priests must be very careful that they do not presume to say Mass in oratories, or suburban monasteries or churches, except very cautiously, before the second hour, with closed doors, that the people by such occasion be not kept away from the Bishop's Mass or sermon, but that all the priests, both those of the suburbs and those belonging to the city, and all the people as we have said come together with them to the public celebration of Mass, and that none but children and the sick, though they have heard Mass, both in the cities and in the parishes [*tam in civitatibus quam et in parochiis*] presume to eat or to drink before the public Office is finished. If any one shall try to transgress these statutes, let him be subject to canonical judgment till satisfaction is done." In the 46th of Theodulf's *Capitula* the same is said, and the only exception there made to the general law that all must come to Mass to "the holy mother church," is that of religious women who keep enclosure.<sup>2</sup>

Thus we see that though there were many churches in a city, it was not until a comparatively recent date that they were used for Mass, at all events for the Mass of obligation on Sundays and festivals. "Let nothing whatever be done in an oratory," says St. Augustine in more than one passage,<sup>3</sup> "besides praying and singing psalms, that the name and the

<sup>1</sup> Migne, *Patres Latini*, vol. 105, col. 208.

<sup>2</sup> *Ibid.* col. 206.

<sup>3</sup> Epp. 109, 121.

use may exactly agree." We have the remains of this discipline as late as 1478, when Sixtus IV. required<sup>1</sup> the Mendicant Friars not to preach that parishioners were not bound to hear Mass in their parish churches on feast-days and holidays, "as it is laid down in law that on those days parishioners are bound to hear Mass in their parish churches, unless perhaps they absent themselves from the church for an honest cause." This ancient law has long been abrogated by concessions made to the Regulars by various Popes, and by universal custom. The absolute necessity of this change we can easily recognize by imagining what would happen if the former strictness were now to be restored.

The word *parochia* was sometimes used, but not often in the Western Church, for the whole of a Bishop's diocese; its common use however in the early Councils was confined to country parishes, and the word was employed in contradistinction to *civitas*, the episcopal see where the Bishop himself was parish priest. We have just seen an instance in the Capitulary of Theodulf, and many more could be quoted if necessary. The Council of Agde, over which St. Cesarius, Bishop of Arles, presided in 506, gives leave for private oratories in which Mass may be said excepting on certain festivals, *extra parochias in quibus legitimus est ordinariusque conventus*,<sup>2</sup> as distinguished from the cities. Here perhaps we gather our earliest testimony to the discipline that we have traced through so many centuries. Pope St. Felix II. held a Council in Rome in 487, and in it he decreed: "With great care and every caution it is to be observed that none of our brethren and fellow-bishops, and no priest, in another city or diocese, may receive a penitent, or one who is under the hand of a priest or who says that he has been reconciled by him, without testimony and letters of the Bishop or priest of the parish to which he belongs, either the priest [in his parish] or the Bishop in the city."

It would seem unnecessary to do anything more to establish the antiquity of the discipline, the history of which we have endeavoured to trace. If parishes did not exist in episcopal cities for the first ten centuries, and if the villages that were out of the Bishop's reach were entrusted to priests, who there were the Bishop's permanent representatives, it follows from our general knowledge of the strictness of early discipline, that

<sup>1</sup> *Extravag. Commun.* lib. i. tit. ix. c. 2. *Vices illius, De treuza et pace.*

<sup>2</sup> *Concilium Agathense*, can. 31.

confessions could only be heard in the cities by the Bishop and in the country places by the parish priest, and by no others without their leave. Not to interfere with the jurisdiction of another was one of the primary principles of ecclesiastical law. "In Church matters," says St. Augustine, "in other cities we only do what the Bishops of those cities, our brethren and fellow-priests, either permit or impose upon us."<sup>1</sup>

The difficulty will at once occur to the reader's mind of how it should have been possible for the faithful to get to confession at all, if as the learned<sup>2</sup> tell us, the Bishop was the ordinary minister of the Sacrament of Penance. But the difficulty is not nearly so great as the undoubted fact that the faithful were bound to hear the Bishop's Mass. All would not be going to confession at once, but all who were bound by the precept of hearing Mass, would have to find room in the same church. Under such circumstances St. Leo the Great does not say, "Build another basilica," but, "Say two Masses in the same basilica."<sup>3</sup> This was in a letter to the Patriarch of Alexandria, asking him to conform in this respect to Western usage. In the case of confessions, the Bishop could and did depute priests to help him. In the country there were the parish priests, or archpriests as they were called; and through the whole diocese the *chorepiscopi*, where they existed, could hear confessions. They were often in Episcopal orders,<sup>4</sup> but they were strictly prohibited from performing the ordinary Episcopal functions. They could not confirm, nor consecrate churches, nor confer sacred orders, but they could "serve through the diocese [*per parochiam*] according to the command of their Bishop in imposing penance or reconciling penitents." These are the words of the Council of Meaux [*Meldense*] held in 845, and that Council throughout uses the word *parochia* of the diocese, and not, according to the common use, of the country parish.

The power of the Bishops and of the archpriests, that is the parish priests, to give faculties is noted in remarkably plain words in the 6th Canon of the Council of Pavia [*Ticinense*],

<sup>1</sup> *In aliis enim civitatibus tantum agimus, quod ad Ecclesiam pertinet, quantum vel nos permittunt, vel nobis imponunt earundem civitatum episcopi, fratres et sacerdotes nostri.* (Ep. 34. Migne, *Patres Latini*, vol. 33, col. 133.)

<sup>2</sup> Martene, *De antiquis Ecclesiæ ritibus*, vol. I, p. 272; Binterim, *Denkwürdigkeiten*, vol. 5, part 2, p. 183.

<sup>3</sup> Ep. ad Dioscorum, Alexandrinum Episcopum. Migne, *Patres Latini*, vol. 54, col. 626.

<sup>4</sup> See the Council of Antioch in *encaeniis* (341). Hefele, vol. i.

the date of which is the year 850. It distinguishes carefully between public penance and the private administration of the sacrament. "Those who have publicly committed crimes must do public penance. But those who have sinned secretly must go to confession to those whom the Bishops and country arch-priests have chosen as fit physicians for the more secret wound of minds." The words might have been used exactly as they stand up to the time when the Council of Trent reserved to the Bishops the judgment of who were "fit physicians;" and they suffice of themselves to show the falseness of the Ritualist theory, that before the twelfth century any priest could at his good pleasure take it upon himself to hear confessions.

The Council of Pavia shows a plain relaxation of the ancient discipline, and evidently in the middle of the ninth century the Bishop was no longer the sole ordinary minister of the Sacrament of Penance. Indeed at the beginning of that century, Nicephorus Cartophylax, the librarian or archivist of the Church of Constantinople, who became<sup>1</sup> St. Nicephorus, Patriarch of that Church, described the change of discipline in the year 801, in a letter to a monk named Theodosius.<sup>2</sup> "The office of binding and loosing was entrusted to the Bishops by our most merciful God. For to Peter He said, 'What thou shalt bind shall be bound, and what thou shalt loose shall be loosed.' So formerly all were bound to come to the Bishops themselves and reveal to them their hidden things; and so to carry away pardon or refusal. I do not know how it has happened that this is now less observed; but I should suppose that the Bishops, tired with the wearisomeness of the work and the frequent turbulence of the multitude, handed over this labour to the monks,—to those, that is, who were truly proved and had it in their power to be useful to others: for they permitted nothing of the kind to the inexperienced and the unlearned." In this valuable testimony we see that the writer is speaking of private confession, for he says that *all* were bound to come, and accuse themselves of their secret sins; and he adds that the monks received their power of hearing confessions from the Bishops.

It is curious to observe how very slowly the parochial system took possession of the Church. The Council of Pavia that we have just quoted shows that the country parishes,

<sup>1</sup> Fabricius, *Bibl. Græca*, vol. 6, p. 298.

<sup>2</sup> Migne, *Patres Græci*, vol. 100, col. 1066.

which, as we have seen began in the third and fourth centuries, were not completely established by the middle of the ninth. The 13th Canon of Pavia is very interesting. "For the constant care of the people of God we will that archpriests preside over country places, who shall have charge not only of the unlearned people, but also of those priests who dwell in the lesser titles. Let them guard their life with constant circumspection and inform the Bishop with what industry each one fulfils the work of God. And let no Bishop pretend that a country place has no need of an archpriest, because he himself is capable of governing it; for however fit he may be, it is right that his burdens should be divided; and as he is over the mother church, so archpriests should be over those of the country, that ecclesiastical solicitude may never waver: but let them refer all things to the Bishop, and not presume to order anything contrary to his decree."

Here we find the Bishop still in charge of the city parish, the mother church [*sicut ipse matrici præest, ita archipresbyteri præsent plebeis*], and so it continued for some time longer. It is said<sup>1</sup> that, with the exception of Alexandria which was divided into its *laure*, and perhaps Rome, the Cardinalitial titles of which may possibly have been parishes, the Bishops were the only parish priests in the cities for a thousand years and more. Limoges is believed to present the first instance of parochial rites being celebrated elsewhere than in the Cathedral, for the Fathers of the Council held there in 1032 refused to prohibit the novel introduction of the celebration of parochial functions in the monastic church of St. Martial. As may well be imagined, the progress of the innovation was very slow. The clergy of the Cathedrals resisted the change, by which their dignity and honour were affected, as they had gradually come to succeed the Bishop, as a corporate body, in the parochial charge of the Episcopal parish. We have here the origin of a state of things that exists in many places, where habitual cure, as it is called, resides in the Chapter, and is exercised by them in various ways. The most usual manner is that it should be held by a parish priest or vicar, elected by the Chapter, who has what is called the *cura actualis*, and commonly parochial functions can be exercised by him alone. In some cases by tradition a certain portion of the parochial duties are retained by the Chapter, and thus in the Basilica

<sup>1</sup> Bouix, *De paracho*, p. 40.

of St. Peter's at Rome, which is a parish church, though a vicar is elected for the exercise of the actual cure of souls, all the members of the Chapter retain the right to teach the Catechism, to carry the Blessed Sacrament to the sick, and to administer the Sacrament of Baptism.<sup>1</sup>

Even as late as 1563, when the Council of Trent held its 24th Session, the work of establishing parishes throughout the world was so far from complete that the Council made the following law: "In those cities and places where parish churches have no proper boundaries, nor their rectors a people of their own to rule, but administer sacraments promiscuously to those who ask them, the Holy Synod commands Bishops, for the more safe salvation of the souls committed to them, to assign to a distinct people in certain and proper parishes each its own perpetual and peculiar parish priest, who shall be able to know them, and from whom alone they may lawfully receive the sacraments; or to provide in some other more useful way as the quality of the place shall require. And they shall take care that the same be done as soon as possible in those cities and places where there are no parish churches, notwithstanding any privileges and customs of however long standing."<sup>2</sup>

<sup>1</sup> *Acta Sanctæ Sedis*, vol. II, p. 249.

<sup>2</sup> Sess. 24, *De Reform.* c. 13.



### *The Blessed Hermann Joseph.*

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NIGH upon six hundred years ago in the already venerable Church of St. Mary of the Capitol at Cologne, a little boy knelt in prayer before the image of our Lady. Amid the gloom of the grim, Romanesque arches the little figure stands out, a wondrous light in the large, dove-like eyes, a wondrous sweetness playing round the curves of the baby-mouth as it prattles forth its *Aves*. He is a very poor little boy, as his scanty, threadbare garments testify—indeed, the only earthly possession to which he can claim exclusive right is a large, rosy apple round which with jealous care both his tiny hands are clasped. The statue before him of Mother and Infant is the most beautiful thing he has ever seen. It exercises such an imperious fascination over him that he spends all his play-hours and spare moments in the church, basking in the protection of Mary's gaze, looking up at the Infant Saviour with a rapture in which the gentle love of one little boy towards another younger and more helpless than himself is blent, vaguely, half-unconsciously, with the adoration of an angelic heart towards its God.

On this particular occasion he is possessed by one great, all-absorbing wish, and is occupied in overcoming a little natural shyness that stands in the way of its fulfilment. He wants the Child Jesus to have his apple!

The large wistful eyes are raised in timid supplication to the Merciful Mother, and she seems to smile back encouragement upon him. Slowly the child approaches the shrine, mounts to the topmost step, and, standing on tiptoe, stretches up his little arm with his gift. But alas! his seven years' growth is all insufficient to reach even to our Lady's feet, and in disappointed perplexity he is about to lay his apple on the pedestal, when—lo! a ray of Omnipotent, All-seeing Love momentarily penetrates the senseless stone-statue, and circulating with electric force among its inanimate atoms, so vivifies and directs them,

that our Lady's image bends forward, extends its hand and taking the proffered apple gives it to the Infant nestling in her arms. And the Divine Child looks down on the human child with a sweet smile of gratitude—for has he not given his all? The little donor scarcely realizes the marvel; he only knows that Mother and Son have understood him, and his little heart is wondrous glad. Who was this child? The son of a poor Colognese shoemaker and one of God's elected souls, called at his baptism Hermann, later on, distinguished by our Lady herself with the symbolic name of Joseph, and ultimately crowned by the Church with the aureole of Saint.

A few days after the foregoing incident, the Blessed Virgin, accompanied by the Infant Jesus and the Disciple of Purity and Love, appeared to Hermann in bodily form. They stood in the pulpitum (or loft, which in mediæval churches surmounted the choir-screen), and as the child approached, our Lady called to him and said: "Hermann, come up here to us and play with my little Son." Hermann replied: "Lady, how am I to come? The screen-door is locked and I have no ladder." Then our Lady said: "Try to climb up the stonework and I will help you." So the little fellow clambered up, clinging for support to the holy hand of Mary, and soon reached the gallery where the Child Jesus was waiting to play with him; but as he passed the massive cornice of the door, a large iron nail struck him just over his heart, piercing a deep wound, and though he uttered no cry, he suffered great pain, which continued for many days. In after years he alluded to this accident as a symbol of that throe of the flesh which must ever accompany the emancipation of the spirit—that fettering of the body in the irons of mortification whereby alone the soul can escape to keener life and fuller vision.

For the next five years Hermann was almost daily the playmate of the little Jesus, and stood daily at our Lady's knee in company with St. John. At the age of twelve he received his monastic vocation, and it came to him in this wise.

A great fire broke out in the holy city of Cologne, in the quarter dominated by Hermann's beloved church. Street after street of wooden houses fell like crumpled parchment before the passage of the flames as they swept in ever-narrowing circles round the hill of the capitol, till by evening the church was doomed. All the population flocked out to witness the disaster, some proffering fruitless but well-meant aid, some moved

merely by the idle curiosity of the normal crowd eager to see all that was going on. The hours sped by. The flames cast their lurid glare on the stern, calm pile of St. Mary's Church, volumes of black smoke cast dark shadows over it, yet the sacred edifice remained uninjured. Forks of fire played over it, but it remained unscathed; clouds of fiery vapour enveloped it in their thickness, but it remained unstained. An unseen force was present that paralyzed the energies of nature, and took from the flames their power to burn. Then a hushed awe fell upon the multitude as they saw this marvel, and they gaped in open-mouthed wonder conjecturing what it might mean. To one alone among them it was given to behold the agency of the miracle—to the clean-hearted innocent child, whose senses were at once quickened and purified by daily contact in visible, bodily form with Jesus and His Mother, was revealed the inner working of the mystery. This is what Hermann saw. Upon every tower and at every angle of the building, multiplied down the length of its grim, friezed walls, and illumined in the fiery light, appeared the pale, sad form of the Crucified Redeemer, forbidding the advance of the flames that now raged in impotence around Him, interposing the agony of universal rescue as a shield between His earthly dwelling-place and the on-rushing destruction.

Little Hermann went home and meditated upon this thing. The intervening force which saved the church had not found its divinely-selected embodiment in the infinite purity of the Infant Jesus, nor in the majesty of the Judging Christ. It was not our Lord in the glory of His Transfiguration, nor in the triumph of His Resurrection who appeared to stay the flames. It was the Saviour of mankind in the very act of His bitter expiation—it was the dying Humanity of a suffering God. The child with seraphic wisdom interpreted the vision aright. He saw in the church a symbol of the soul, saved from the ravages of sin only by an active participation in the Supreme Sacrifice, preserved and immortalized only by the perpetual oblation of its human instincts and its human nature; and, applying the warning to himself, he called to his aid the enforced asceticism of monastic life and forthwith retired to the newly established Premonstratensian Abbey of Steinfeld in the valley of the Eifel.

Hidden under the gloom of a German forest, shrouded in the stillness of the cloister, his life is henceforth passed almost

entirely in contemplation; and as much of it as ever came within mortal ken is chronicled for as by a brother-monk who lived in daily contact with him.

Perhaps in the whole annals of sanctity there is no other instance of the material existence weighing so lightly upon the spiritual life as in the case of Blessed Hermann. His fasts and vigils and penances, wore away his fragile body till it became the thinnest veil just shading the light of the spirit, a mere vehicle for the manifestation of the soul. But his almost supernatural asceticism seems to have cost him but little effort, for his passion, his pride, his very *greed*, were all centred in God, and by a spiritual controversion of forces transformed into Divine love.

Soon after his profession, which, on account of his extreme youth, was preceded by a very long novitiate, took place his mystic espousals with our Lady. In the darkness and silence of the night, as he knelt in contemplation in the choir of the old abbey church, celestial visitants appeared to him heralding the approach of his Spiritual Spouse, and there in the Sacramental Presence of our Lord, and before witnessing choirs of angels, the mystic nuptials were celebrated, seraphic hands binding the mystic tie, seraphic lips pronouncing the mystic words of union. Our Lady then conferred upon him the name of Joseph, whose dignity he now shared, and this new baptism was soon afterwards confirmed in a vision. Our Lady with her Divine Babe appeared to him standing at the high altar and he, craving for Jesus, said: "Dearest Lady, give me thy child!" And the Blessed Mother placed her Infant in Hermann's arms, saying to him: "Take my Child then and bear Him as Joseph bore Him into the land of Egypt, and bearing the same burden be henceforth called by the same name."

From this time it seems that our Lord and our Lady vied with each other in the munificence of their gifts to Hermann Joseph. His very senses were sanctified and became the *media* of special Divine favours. His nerves, those mysterious links between the physical and psychological life, sensitive to spiritual influences proportionately as they were deadened to material *stimuli* and delivered from the dominion of the flesh, thrilled with ecstatic vibrations awakened in them from on high, and this pale, mortified ascetic tasted of delights unknown and undreamt of by the pleasure-seeking children of the world. Our Lady almost daily encompassed him with an odour of

inexpressible fragrance, which emanated from the ground whenever during the recitation of Office he prostrated himself at the mention of her holy name. He said of this that it resembled an enhanced combination of all the sweetest scents ever known on earth, and he longed to remain there recumbent, for ever drinking in the ineffable fragrance.

One day, after the community repast, as he re-entered the church from the refectory in company with the other monks chanting the *Miserere*, he was suddenly bathed in a new perfume of far more penetrating, rapturous delight, than the accustomed one, and evidently of higher and still more sacred origin, needing the seal of absolute reticence to preserve it, for on his turning in ravished wonder to his companions and asking them if they too noticed it, straightway the influence ceased, the fragrance vanished, and, as we know from his death-bed confession, was only restored to him after a long interval of privation.

Here the old biographer meditates on the varied nature of Divine revelations, some—like those of Jehovah to the Prophets of old—destined for general instruction, were to be proclaimed to the whole nation; some—like the revelations to our Lady concerning her approaching Motherhood—were to be imparted at the time only to a chosen few, while others—like those to St. Paul—were never to be communicated at all. These latter seem to be the outcome of some specially full and direct communion between creature and Creator, into which no other intelligence may penetrate, and, if we dare speak of these things in our human terminology, they imply the passage of some supreme influence needing the isolation of silence that its force be not dispersed. Certain it is, that some bliss, if materialized by words, is lost in the very attempt to commemorate it; some sacred, subtle influences are so delicate as to evaporate on disclosure to even the holiest, most faithful friend.

We are told that when the monks assembled in the dead of night for Matins, Hermann was frequently refreshed with the scent of a most fragrant incense, though none was in use at the time. And on one occasion it was revealed to him that the choir was peopled with angels assisting at the midnight service, and he saw two of their number advance, swinging censers with which they incensed the assembled monks. Before some of them the angels bowed as if in reverence; others they passed by hastily; while from some they shrank back as from objects of repulsion and disgust. And Hermann knew that this was

because some of those present were glorifying God in their hearts and rejoicing in the service of prayer that they were offering Him. And these the angels venerated. Some were only thinking how quickly they could get through the Office in order to return to sleep. And these the angels ignored. Others, again, murmured the words of praise and thanksgiving in automatic lip-worship, while they were simultaneously desecrating the sanctuary with the licence of their thoughts. And these the angels spurned. As the old chronicler quaintly observes, the religious vocation is such that a monk must be either an object of reverence to the angels or an object of disgust to them.

Hermann Joseph had a special veneration for St. Ursula and her train of saintly British maidens, and he ardently desired to write a song of praise in their honour. But he could find no words adequate to embody the depth of loving reverence with which his heart was overflowing. Strive as he would with ever-renewed endeavour, his patient efforts constantly ended in failure, till at last one day as he sat at his desk, he suddenly became aware of a strange, new light that shone around him, instilling the calm of achievement into his soul, and transfiguring his saintly aspiration into the flash of a Divine inspiration. A maiden of unearthly beauty—the beauty that, once seen, constrains to holiness—stood before him, a wondrous wealth of words flowing from her virgin lips. And Hermann knew that this vision was the glorified soul of one of St. Ursula's blessed attendants, and in the inspired words she uttered he found his long-sought-for song of praise. On the maiden's shoulder was perched a snow-white dove, which placed its beak in her ear as if in whispered converse with her. And Hermann rightly conjectured that this was the form assumed by a sister-virgin, perhaps simply as representing the emblem of spotless purity, perhaps also as shadowing forth a Higher Power, the supreme source of all true utterance. Can we not picture the scene? the bare, gloomy cell illumined with a soft, subdued radiance that emanated from Hermann's heavenly visitors, and the pale, wan face of the monk uplifted in eager attention, while with feverish haste his wasted fingers wrote down the words of celestial dictation—the heavenly tribute to martyred purity.

So Hermann accomplished his song of praise. But it was not enough. This artist-saint now craved another form of expression that should be at once more mystical and more



complete, more penetrating because more spiritual; and he sought for this in Melody. Day and night he now applied himself to prayerful study for this end, but his labours, here again, were fruitless; the phantom of Attainment fled as he approached it, and perpetually eluded his grasp. But at last the measure of his required perseverance was filled, and then his time of probation ended. As he was tossing one night on his pallet-bed in weary perplexity, ever baffled, yet ever striving, patient with his unsuccess—suddenly, the reward came. From the far-off distance, like the echo of an evening *Ave* wafted across still waters, he caught the first faint indication of the melody he so long had sought in vain. Nearer and nearer came the strain in ever-swelling harmonies, till the walls of his lowly cell gave way before it, admitting a choir of angels half shrouded in mists of light, who chanted the divinely chosen music to accompany the divinely worded song. The flute and the harps rippled in silvery cadences, the violins quivered into tender vibrations, blending with the chorus of seraphs as it rose and fell in a hymn of triumphant gladness. Then Hermann arose and wrote down the notes as he heard them, and they remain to us unto this day for the greater glory of St. Ursula.

Thus the music and eloquence of angels ministered to his yearning for expression, and he realized at once the supreme justification of authorship and the highest achievement of genius—the simple deliverance of a message entrusted to him from on high.

Soon afterwards occurred the most mystical event of all this mystical life, which can only be dimly indicated in words, for its full narration surpasses the faculty of human speech. Hermann's biographer tells us that during one of the saint's night-vigils, it was permitted to him to see creation as it is in the eyes of God. Imagine him, the white-robed figure leaning against the dark stone-work of the window of the sacristy, gazing out into the moonlit stillness of the night. Suddenly he utters a cry: "Oh, dear Lord, Thou Creator of all things, although so long as I remain here in Babylon, I can only see Thee dimly through a glass, yet wilt Thou give me such knowledge of Thy creation by which I may learn to know and love Thee better?" And his prayer was answered; it happened to him as he besought. A Divine light broke into his finite mind, opening out a pathway to the Infinite God, and he seemed to pass out of himself



and was uplifted to regions where time and space are not, and gazing thence down upon creation he saw it as it is in the eyes of its Creator. When he came to himself he was unable to recall his vision, and though the sense of bliss it had awakened in him remained, he could give no account of it. But it was not so much memory, *as capacity*, that he had lost. His mind, from which the barriers of human consciousness had momentarily been lifted, could not retain the impressions of his glimpse into infinitude when once those barriers had been replaced. For human thought cannot grasp, nor human speech define, the Infinite. His mind, once more contracted within its normal limits, could no longer hold the illimitable vastness of the conceptions that the vision had called forth. But he was content now to wait till in the fulness of time the veil should be lifted, and he should see clearly and know fully for evermore.

We are assured by those who lived in constant intercourse with Hermann Joseph, that towards the end of his life, when absorbed in spiritual studies or rapt in contemplation, he was gifted with the power of assuming invisibility. What shall we say of this wonder passing all human understanding? Here was a personality so exclusively spiritual, in which the clog of the flesh had been worn away to such a mere gossamer thread, that when the intellect was concentrated upon Divine meditation, the material residuum was as nothing, and faded into invisibility like thin mist melting into air. All these things are too mystical, and shall we add, too sublime, for the practical and experimental temper of the nineteenth century. We look upon them as pretty legends of the dear dark ages to which the Church, merciful to our scepticism, does not command belief. But we should not be too hasty in rejecting as myths what, after all, may only be the supernatural extremes of the natural tendency of well-known and acknowledged laws. The *natural* outcome of asceticism, as the proven achievements of Buddhists and Indian fakirs testify, is the acquirement of abnormal moral powers. Setting aside for a moment the supernatural action of grace and considering the question from a purely natural standpoint, in proportion as the *material* in man is, by the free use of his volition, brought into subjection to the *immaterial*, the latter increases in dominion, in field of action, and in coercive force. Viewed under this aspect, the action of free-will, common to

Christian and heathen alike, and open to cultivation by either, falls, *regarded within the boundary of its natural limit*, under the category of a physical force, and as such may "control the forces of nature" by no other secret than the necessary triumph of a stronger physical force over a weaker one. Admitting this, why should we refuse our credence to the result when the known operation of a physical law is—not in contradiction to its natural tendency, but in accordance with it—merely pushed beyond its natural limits by the irresistible pressure of an accumulation of Divine grace?

The end was now near. Hermann Joseph's life had been miraculously prolonged for nine years in answer to the prayers of many holy persons; but now God claimed His own. The body had no more power to imprison the soul that overwhelmed it. The gossamer threads gave way altogether, and the spirit, escaping, flew back to the God who made and was awaiting it.

He died one 7th of April towards the middle of the thirteenth century, and innumerable miracles worked by his relics testify to the favour with which God regarded this His chosen servant.

To this very day in the quaint old Marienkirche at Cologne, may be seen the identical statue before which the little Hermann used to pray. Grotesque enough in its workmanship, as most sculptural productions of the twelfth century—the vain, blundering striving of some old master to give expression to a spiritual conception too delicate for embodiment in any earthly clay—it was not too mean to have been the vehicle of a very special Divine grace, and it is handed down to us through the centuries as the relic and memorial of a miracle which the simplicity of a little child won from that Everlasting Love which pervades all time, space, and matter, encircling and supporting the objects of its love.

A. STREETER.

### *The force and meaning of a Law.*

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IN the case of ecclesiastical laws, it is certain and of faith that power to make a law exists in ecclesiastical superiors. This power, as it exists in them, is entirely independent of the will of their ecclesiastical subjects. If ecclesiastical superiors make a law, that law derives the whole of its force from them. Its force is in no way dependent on the acceptance of it by their subjects.

This is true also in the case of civil laws. These have of themselves force of obligation. This force is in no way dependent on the acceptance of them by the subjects of the civil ruler.

It is true that the obligation of a law may cease through desuetude. It is also true that a law may be abrogated through the prevalence of a contrary custom. If this custom has continued to the end of the necessary period of prescription, and has thus secured the *legal* consent of the lawgiver, it has all the force of a later law to abrogate a previously existing law. It does not, however, follow that acceptance by subjects is in any way required in order that a law should have force of obligation.

A law, as soon as it is rightly promulgated, binds the subjects of the lawgiver to receive it. If a lawgiver had not this power to bind his subjects, apart from their assent, they would in reality have greater power than that which he himself possesses. This they would have inasmuch as it would be in their power to hinder any exercise by him of his legislative power. He could not in that case compel them to submit to a promulgated law. If acceptance by subjects were required as an essential constituent of a law, their ruler would not really rule. He might nominally reign, but in reality he would himself be ruled, and that by his own subjects. The truth is that, although a ruler may receive his power to rule through the intervention of the commonwealth which designates him for investiture with his power from God, when he has once received that power, he is then the one and only ruler of all his subjects.

It is a dictate of the natural law that the God of order wills and demands order in every society of rational creatures. This order could not possibly exist if subjects were not bound to obey their rulers by the observance of their laws. It is therefore of natural law as well as of divine positive law, that those persons who in the providence of God, whether by the divine disposition or by the divine permission or toleration, have power to rule, have power to prescribe. By the same law there lies on their subjects an obligation to obey.

## 2.

There are certain laws which are called *invalidating* laws. These are of two kinds. One kind may determine that a certain act was from the beginning null and void. The other kind may decree that henceforth an act which was not in itself null and void may be invalidated and nullified through the intervention of the sentence of a judge.

It is certain that, both to the Church and to civil rulers, it belongs to make invalidating laws. Such laws conduce towards the common good of the community. They supply in many cases the only way in which that good can be secured.

An invalidating law does not always suppose guilt on the part of subjects. This supposition is not necessary in order to justify the existence of such a law. The demands of the common good afford a sufficient reason for a law which promotes that good.

There is a wide distinction between an invalidating law, and a *merely penal* law, although an invalidating law may be also and at the same time a penal law. It is in the power of a ruler to impose a precept, which is merely penal in its effects. It lays no obligation of guilt on the breaker of it. It merely renders him liable to punishment and subjects him to the obligation of submitting to that punishment when it is lawfully inflicted. Subjects are not bound in conscience to avoid transgression of a *merely penal* law. They are bound only to submit to the punishment, of which they take their chance. It is true that they may be bound by the law of charity towards themselves and bound thereby in conscience to avoid even the risk of a very grievous punishment. It is, however, at the same time true that this obligation of charity does not arise from that merely penal law.

It does not follow that, because a certain act is nullified by an invalidating law, that act has been forbidden, or that it was in itself an evil act. An act is forbidden then only when along with the law which invalidates it, there is a law which forbids it.

When an act is invalidated, there arises an obligation in conscience to submit to the effects of the invalidation. This is clear. If the act was null and void, then certainly no right can have been acquired by means of it.

If an act is not *ipso facto* invalidated by an invalidating law, but may only possibly be invalidated through intervention of the sentence of a judge, then until that sentence is pronounced, the act remains a valid act. Whatever the reason may be for which sentence has been delayed, an act which was not invalid in itself, is and remains valid, until it is lawfully invalidated.

When an invalidating law is not at the same time a penal law, even invincible ignorance will not hinder invalidation. Such ignorance in no way stifles the demands of the common good. Private loss must, moreover, give way to public benefit.

If an invalidating law is at the same time a penal law, it follows the rule of penal laws. Ignorance, or any cause which is such as to excuse from guilt in the transgression of a law, as it is penal, will also hinder the effect of that law, as it is invalidating.

3.

Certain laws concern tribute. *Tribute* is a payment imposed on subjects, to be paid by them to the civil ruler, in order that he may be able to provide for the maintenance of his own dignity and state, and for the needs and welfare of his community. Subjects are bound by legal justice to contribute towards the common good of the civil society to which they belong.

Three things are required in order to the rightness of a law which imposes tribute. There must, in the first place, be *lawful authority* in the lawgiver. This authority is that which belongs to one who is not a mere deputy or subordinate ruler, but who is supreme within his own sphere of rule. This a lawgiver may be, even if he is subject to some more universal ruler. The magistrate of a municipality, whose duty it is to provide for the public needs of a particular place, has the right to make a law of tribute. A municipality is in itself a continuing society and corporate body, although it is at the same time a part of a larger society.

The right of a ruler to impose tribute on his subjects is in no way to be confounded with the right of *altum dominium*. Even if this latter right should not exist, there would remain the right and the duty of a civil ruler to ordain the community, of which he has charge, towards its end, by all suitable and necessary means, and among them by imposing a law of tribute upon his subjects.

A second requisite in order to the rightness of a law of tribute is a *just cause*. This is required in order to the rightness of any and of every law. With special reason is it demanded in the case of a law which is burdensome to subjects, and which divests them of a portion of their property. That the cause of the law should be just, the tribute must contribute either immediately, or at least mediately towards the common good. The common good of course includes provision for and maintenance of the due state and dignity of the common ruler.

The third requisite in order to the rightness of a law of tribute is the arrangement of the distribution of the burden. The burden must, in the first place, not be excessive, but moderate. The criterion of moderateness will be the judgment with regard to it of ordinarily prudent men. The burden of taxation should also be distributed with geometrical proportion. The poor ought not to be burdened in such wise that the burden should fall on them more heavily than it does upon the richer members of the community.

A law which imposes tribute is not a penal law, but a moral law. It is a law which is directive of moral conduct. It prescribes an act of the virtue of legal justice. Such a law does not create the duty of subjects to contribute towards the common good, and to bear their share of the common burdens. It finds this duty already incumbent on them. All that it does is to determine the way and measure in which it is to be fulfilled, and to provide for its fulfilment being carried into execution.

A law of tribute is, therefore, a law which binds in conscience, as does every law which prescribes an act of justice.

Looking at the obligation in itself, the whole of the obligation to observe the law by payment of the tribute exists before payment is demanded. This, however, may be tempered or interpreted by lawful custom, so that in some places there should be no obligation to pay before payment is demanded.

When a civil ruler appoints officials who are not only receivers but exactors of the tribute, this points to his intention with regard to the method of collection. In this case payment is not due till it is demanded. This will not, however, excuse fraud in evasion of the duty which the law supposes, and of which it imposes the fulfilment.

4.

Subjects alone, and among them those only who have use of reason, are bound by a law, so as to sin, through transgression of that law. A precept, since it is directive of moral conduct, supposes use of reason in those to whom it is given. Obedience also is possible to those only who have use of reason and freedom of will.

An absolute lawgiver—that is to say, a ruler who, in virtue of his own authority, has power to make a law which shall bind the community of which he is the head—is not bound by his own law, so far as regards its coercive force, and under pain of punishment. No man can properly be said to compel, or to be compelled by himself, and it is from the lawgiver that his law derives the whole of its coercive force. But besides its *coercive* force, a law has also its *directive* force, as it is a rule of moral conduct. It is therefore, to say the least, becoming, and even in accordance with a certain equity, that a ruler should conform his conduct to that which he has ordained to be the necessary conduct of the members of that body of which he is the head. The law of nature prescribes that inferiors should obey the orders of those who are, in the Divine providence, their superiors. There would otherwise be dissonance in a commonwealth between the members of it and their common head. It is in like manner a conclusion of the natural reason that a ruler ought, in his moral conduct, to be in conformity with his subjects, through his observance of those laws which he has laid upon them.

Short of this, it remains true that—a lawgiver is above his own law. This is clear, since it remains in his power, if he should deem it expedient, to alter that law, and he can always dispense from observance of the law which he himself has made.

5.

Some laws are local, and are binding only within the limits of a particular place. Other laws are universal, and are binding everywhere. These constitute common law.



Persons who come to a particular place with the intention not to settle there, but to sojourn only for some days, or at most for the lesser part of a year, are called—pilgrims.

If a man comes to a particular place with intention to settle there, so as to acquire a domicile in that place, he is, and he is from the outset—not a pilgrim.

A *domicile* supposes an intention to remain in perpetuity. A *quasi-domicile* requires only the intention of remaining for the greater part of a year. A person who has right to the name of *pilgrim* must have neither domicile nor quasi-domicile.

*Vagrants* differ from pilgrims. Pilgrims have a domicile somewhere. Vagrants have nowhere any domicile. They are not truly subjects. No one becomes a subject otherwise than by reason of his place of origin, or his domicile, or quasi-domicile, or in virtue of either some contract into which he has entered, or some crime which he has committed within a particular territory. Vagrants, therefore, are not subject to such laws as do not either concern contracts or punish crimes.

A pilgrim may be bound to observe certain local laws, not on the ground that he is a subject of the local ruler, for this he is not, but in virtue of a tacit convention or condition of his remaining in the place. He may be permitted to set foot in it only on the understanding that he is to observe laws, violation of which is, in the interests of the inhabitants of the place, not permitted to any one within its bounds.

Local exemption from common law ceases as soon as one leaves the exempted territory. A law which is universal is binding everywhere, save in those places in which it has been derogated from by custom or privilege.

Local laws are not binding on those who are absent from the place where those laws obtain, even if persons have left that place with the express intention of thus exempting themselves from the obligation of its local laws. There is not in their departure any defrauding of those laws. They had a right to leave the place, and no one can commit a fraud who is acting in exercise of his right.

6.

Human laws prescribe the substance of an act. They do not prescribe the manner in which that act is to be done, unless the manner of doing it is of the intrinsic idea, or very nature

of the act. The manner of doing the act would, in that case, along with the act itself, fall under the law. A law binds only to that which it prescribes, and it prescribes only the matter on which it falls. It does not prescribe the end for which the law is made. If the matter of the law has been carried out into execution, the law has been observed. There may be sin in the subject who has done no more than this, but it was not sin through transgression of that law. That alone is prescribed which is expressed in the law by way of command, and a human law does not command that *this* should be done for the sake of *that*, but only that *this* should be done.

If the end of the law—or the reason why the law was made—is sometimes expressed in the law itself, it is not so expressed as if it were the object of that law. It is expressed only as manifesting the reason or motive of the lawgiver in his making of that particular law.

For fulfilment of precepts, intention to satisfy them is not required. A law prescribes only execution of the external work which it indicates. The only intention, therefore, which is necessary, is the intention to do that which has been prescribed. It is not necessary, in order to the keeping of a law, that one should by a special act will or intend to satisfy the precept which prescribes the act.

Precepts do not bind subjects to *formal* obedience—that is, that a thing should be done because it has been prescribed. They bind only to *material* obedience—that is, that the act which has been prescribed *should be done*.

The obligation of a precept is fulfilled by the doing of that which it prescribes, unless he who does it has applied the doing of it for another end which is incompatible with observance of the precept. Nay, he satisfies the precept who, in doing the act which the precept prescribes, expressly intends not to satisfy the precept by the doing of that act. The precept binds only to the substance of the act which it enjoins. When that has been done, it is no longer in the power of him who has done it to will not to satisfy the precept by the doing of it. The precept has been already satisfied.

A negative precept is given with regard, not to the doing of an act, but to the refraining from an act. A negative precept does not, therefore, require the doing of an act, but only the refraining from an act in order to the fulfilment of that precept. In this refraining a positive will to refrain from the doing of

the forbidden act is not necessary in order to fulfilment of the precept.

By one and the same act, various and diverse precepts may be fulfilled at one and the same time. This will not, however, be the case if it has been forbidden by the lawgiver.

## 7.

Ignorance, if it is invincible, excuses transgression of a law. No man can possibly sin save by a voluntary act. A voluntary act of transgression supposes knowledge of the law which is transgressed. If the ignorance of the law is vincible, and blameworthy, it does not excuse transgression of the law. Ignorance of a law is then vincible when it is in one's own power to arrive at knowledge of that law, and when one is at the same time bound to possess himself of that knowledge by means of inquiry. The knowledge may be in itself and absolutely possible, and the man may be in reality bound to acquire that knowledge, but to make him blameworthy, the thought of this must have occurred to him, and have entered his mind at least by way of doubt.

If it is from fear that a man does a thing which is in itself and absolutely evil, he certainly commits a sin, but the wickedness of that sin is lessened through the lessening of his freedom of will. His sin may be a sin of weakness rather than of stiff-necked wickedness.

Certain precepts are not binding on subjects when observance of them would entail grievous inconvenience. If through dread of such inconvenience a man fails to do that which these precepts prescribe, he does not sin. The precept in that case does not bind him. It is consequently not within his power to transgress it.

It is never lawful, even under pressure of fear of death, to violate a *negative* precept of the law of nature which forbids that which is in itself and intrinsically evil.

It often happens that grievous fear excuses from fulfilment of a *positive* precept—whether Divine or human—that is, a precept which prescribes some particular good action. Grievous fear sometimes also excuses non-observance of an affirmative natural precept.

There are cases, however, in which even grievous fear does not excuse. A man is bound to succour his neighbour who is

in the last extremity of need, and that even at the risk of his own life. There may be a similar obligation in the case of one who is officially bound to come to the rescue of another who is under his care, and who is in grievous peril. If observance of a human law is necessary in order to the safety of the community, or in order to the avoidance of damage to it, it is binding on individual members of the community, even at the risk of their lives.

Short of this, no human precepts—and not even ecclesiastical precepts in themselves—are binding with risk to life, or at a loss which may be regarded as equivalent to loss of life.

No man is at any time bound to the impossible. When observance of a law is impossible to a subject, he cannot sin by non-observance of it. The impossibility of observing it may be the result of a former sin, but it does not beget a fresh sin.

In determining the obligation of subjects to fulfilment of a law, three distinct principles have to be kept in view. It is one thing—not to have been bound by a law. It is another—to be withdrawn from the obligation of a law. It is a third—to be excused from transgression of a law, while still remaining under the obligation of that law.

8.

A law may cease to exist in several ways. It ceases wholly by the abrogation of it. The lawgiver or his successor in office, may recall and annul his law in its entirety. It ceases partially by derogation from it. The lawgiver or his successor, may alter or modify some part of his law. A law may also cease through the invalidation of it, if it is the law of a subordinate superior. His superior may decree the invalidity of the law of a legislator who is subject to him.

A new law which is in contradiction with a previous law annuls that law, even if there should be in the new law no mention made of the former law. Since a lawfully constituted and completed custom has the force and obligation of a law, it also avails to the undoing of the law with which it is in contradiction.

A law may cease to exist, either by way of *the contrary*, or by way of *the negative*. It ceases to exist by way of the

contrary—when by reason of change in the matter of the law, or in the circumstances of it, that law becomes either unjust—or morally impossible of observance—or at least utterly useless, so far as the good of the community is concerned. A law ceases to exist by way of the negative—if, searching the whole of the matter of the law, there cannot be now any longer found that reason for which the law was made. Apart from this the matter of the law may in itself be neither evil—nor impossible of observance—nor useless. It may nevertheless remain true that the reason for the making of that law has ceased to exist.

When the end of a law has ceased by way of the *contrary*, the law itself ceases *ipso facto*, since it now concerns that which is unjust, impossible or useless. But when the end of a law has ceased by way only of the *negative*, the law itself does not *ipso facto* cease. The matter of the law, being right in itself, can still be observed, as it remains useful and possible of observance, even if that end for which the law was originally made has ceased to exist.

If the end of a law does not apply in the case of some particular person, the obligation of that law nevertheless remains even for that person. It is for the public good that common laws should be observed by all and every one of the members of the community. A law has in view not individuals and exceptional cases, but the community on whom it is laid.

## 9.

The interpretation, or declaration of the sense and meaning of a law, may be either authoritative—or by usage—or doctrinal.

An *authoritative* interpretation of a law is a declaration of the meaning of it which has been given either by the lawgiver himself—or by his successor in office—or by his superior.

An authoritative interpretation may be either comprehensive—or extensive. A *comprehensive* interpretation is one which merely declares something which was already and really contained within the law, although the fact of this has been hitherto obscure.

An *extensive* interpretation extends the law to some case which was not in the contemplation of the lawgiver, or not comprehended by the law as it was made by him.

A *comprehensive* interpretation does not require promulgation to give it force of obligation over subjects. It is not in

reality a new law. An *extensive* interpretation is, as regards that which it adds to existing law, equivalent to a new law. It therefore requires such promulgation as is necessary in the case of every law, in order to give to it force of obligation.

The interpretation of a law which is called *by usage* is that which is supplied by custom. It is an axiom that "custom is the very best interpreter of law." If the custom is such as to have already obtained the force of law, the interpretation which it affords will be not merely *by usage*. It will be—authoritative.

*Doctrinal* interpretation is the interpretation of skilled persons, or persons who are noted both for learning and for experience. It is to be found in the opinions of recognized teachers, approved authors, and others who have the reputation of being learned in the law. Doctrinal interpretation does not in itself have force of obligation as has the interpretation of a lawgiver, or of an established custom. When there is, however, a unanimous consent of learned experts, this unanimity renders the matter which has been in question morally certain. It is at the same time a testimony to custom. It may thus result not merely in the interpretation which is called *by usage*, but in an interpretation which is authoritative or equivalent to an authoritative interpretation.

In the formation of a doctrinal interpretation, that which has chiefly to be looked to is the mind of the lawgiver in the making of his law. His mind in making it was and is the soul of his law. His mind is to be gathered not from the naked words alone by which he has expressed it in his law, but from these as taken in connection with the whole of their context, and taking into consideration both the matter and the end of his law, along with the reason for which it was made, and the circumstances which accompanied the making of it.

If the mind of the lawgiver has been clearly ascertained, the interpretation of his law which it presents is to be preferred before all other interpretations, and it is the only interpretation that can be sustained and held. This is evident since that which we seek by means of interpretation is knowledge of that which the lawgiver had the will to prescribe. Even the proper signification of certain words in a law is to be set aside, if the ascertained mind of the lawgiver is opposed to the sense which these words by themselves would otherwise convey. Words

subserve the intention to which they give expression. The intention is not to be made subservient to the words which are used to express it.

Apart, however, from certain knowledge of a contrary intention in the lawgiver, the words of a law are to be interpreted in accordance with their proper signification, and especially with that meaning which they have in and from common usage. If the words are legal terms, they are to be understood in their legal sense, or in accordance with the custom of the court.

Doctrinal interpretation cannot be other than a comprehensive and not an extensive interpretation, since an extensive interpretation is equivalent to a new law, and a doctrinal interpreter is not invested with the authority of a lawgiver. Doctrinal interpretation of a law may, however, while still remaining merely comprehensive, be wider than is another and narrower interpretation of which that law is susceptible. Although a law might without injustice or incongruity be interpreted as comprehending a larger number of matters, it might at the same time be also interpreted as comprehending only a smaller number, without failing to satisfy the demands of justice and rightness, the proper signification of the words by which it is expressed, and the reason for which it was given. All matters contained within this narrower comprehensive interpretation are necessarily, and not merely congruously, to be held as included by the law. Matters which are outside the narrower and within the wider comprehensive interpretation, are not necessarily, but only with congruity interpreted as falling within the sphere of the law.

A law which is burdensome to subjects, such as is a penal law, or a law which invalidates contracts, or a law which imposes tribute—is of strict interpretation. It admits and demands the necessary wideness of interpretation, but it does not admit of that wideness of interpretation which is only congruous. A law which is in favour of subjects demands, on the contrary, the wideness of congruous interpretation. The interpretation of such a law is to be widened to the comprehending of all matters which can possibly be comprehended under the words of it, taken in their proper signification, that is, in their natural meaning, or in the meaning derived to them from usage, or in their juridical meaning, as the case may be.

Doctrinal interpretation of a law cannot be widened solely



by reason of similarity, or by parity of reasoning, to a similar case which is in no way comprehended under the signification of the words of the law. Such a widening would be in reality an extensive interpretation, and that belongs to a lawgiver alone. From the fact that a lawgiver has prescribed some particular thing, it does not follow that he had the will to prescribe all things that are similar to it. *Identity* of reason which differs from mere similarity of cases gives good ground for widening interpretation of a law to a case which, although not comprehended under the words of the law, lies under the same reason, if it is clear that this reason was the *adequate* reason of that law, or the only motive in the mind of the lawgiver.

10.

When we form a judgment that a universal law ceases, or is not binding in some particular case, we are exercising that special and private interpretation of a law which is known in moral science as *Epikeia* (equity), and we are judging in accordance with equity. It is a restriction of the verbal law, through the interpretation of it as not extending to this particular case.

A law is given in universal terms, and contemplates that which is of almost universal occurrence, and it may happen that in some particular case, which is itself comprehended under the words of a law, it would be an evil, or harmful to observe that law, so that the lawgiver himself, if he were present, would except that case from the obligation of his law. In such a case, equity of its very idea demands that we should go against the words of the law. We are not thereby going against the mind and will of the lawgiver. That case was not present to his mind when he made his law, and he had not the will to place that case under the obligation of his law.

WILLIAM HUMPHREY.

## *Stonyhurst Memories.*

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### III.

#### THE RHETORICIANS' "ACADEMIES."

OUR last, and concluding year at the College, the Rhetoric year, was a very pleasant and enjoyable one, full of dramatic turns and incidents, at least from a youth's point of view. Everything seemed interesting and original, life was opening a little, even already. I found myself eagerly striving to secure some of the "good things," prizes and the rest, that had hitherto been rather a monopoly in the hands of three or four clever boys. There was plenty of hard work, and of enjoyment as hard. We started the year full of zeal and ardour, and under the exertions of our incomparable master, were stimulated to make the greatest efforts. He introduced us, as I said, to the graces of poetry and the *belles lettres* generally, and in the most attractive way; and brought out our taste for the first time, I really think. He was eager that we should make a good "show" at our own private "Academies," which came early in the year, and were fixed for the feast of St. Catherine. We looked forward to it as to some pleasant festival.

An old bill, on which I lately stumbled, will furnish a good idea of these performances.

A. M. D. G.

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STONYHURST COLLEGE.

THURSDAY, FEBRUARY 12, 1846.

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#### ACADEMICAL EXHIBITION

OF THE

CLASS OF SYNTAX.

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MUSIC.

Tacitus Annals, Book III.	.	.	.	f	MASTER P. FITZGERALD.
	.	.	.	,	J. P. MURPHY.
Mr. Burke against General Conway	.	.	.	,	W. THELWALL.

The same in Greek . . . . .	MASTER W. JOHNSON.
Cicero de Amicitia . . . . .	{ " J. HOLME.
	" N. BROWN.
Physiological Botany . . . . .	" W. THELWALL.
On the study of the Classics . . . . .	" P. FITZGERALD.

MUSIC.

Thucydides, Book III., 60 pages . . . . .	{ MASTER H. MYLIUS.
	" E. WATERTON.
St. Ignatius before his conversion ( <i>Anon.</i> ) . . . . .	" J. LAWSON.
The same in Latin . . . . .	" J. HOLME.
Livy, B. I., one half . . . . .	" W. CLIFFORD.
Xenophon Cyropædia, one half . . . . .	" J. CLEMENT.
Maternal Affection ( <i>Washington Irving</i> ) . . . . .	" J. FOXWELL.
The same in French . . . . .	" S. STACPOOLE.

MUSIC.

*Proclamation of the order of Compositions.*

L. D. S.

Here, it will be seen that all was good, solid stuff, and laid out on classical lines. The Greek and Latin versions were listened to with grave respect, albeit unintelligible to the general public. The theory was, however, that to the professors on the cushioned benches it came as easy and natural as their own native tongue; nay, that they took a delight in hearing these antique languages rehearsed. Now, I believe, we are more "up to date," as it is called, and content ourselves with English. There was a fashion for introducing an oratorical spouting piece: some large fellow rising, would "hulk" into the middle, and after a somewhat awkward bow, announce: "Extract from Mr. Burke!" or from Mr. Canning, as the case might be. I recall our facetious Prefect of Studies, Mr. Brigham, when he was first treated to this exhibition, in one of the school-rooms, calling out sarcastically: "*What* extract? Is it a piece of his head, or his leg that you are going to give us?" We hardly grasped this satire.

It will be noted that in this syntax programme there was a piece, "On the study of the Classics." This was my own composition, and to be delivered by the author himself. It was a proud day for me. The opening passage ran:

"The great privilege which man has received above the rest of the animal creation is, that the former is endowed with a mind capable of discerning and judging for itself, and with all the other essentials of a rational being; while the latter, though they have from nature a certain intuitive sense denominated

instinct, are in want of those nobler qualifications, which belong exclusively to the human race."

Now this was all true enough, and eke an eminently safe and sound doctrine, and beyond impeachment. I gave it out as a didactic lesson. At the end I became a little pathetic, and with an almost faltering voice delivered myself of the peroration, which I must give here :

"And when the mid-day of life shall have declined, when age with its attendant infirmities shall steal upon him ; when his strength has decayed, and his friends left him desolate, he shall not be without consolation. By the study and perusal of the best models of antiquity his mind will be stored with bright and pleasant images, the memory of the past laden with pure and noble thoughts ; he will have raised his spirit above the limits of this world, and made it fit for its futurity ! He will look forward with joy to the moment when his refined and purified intellect shall soar aloft and penetrate the secrets of another world." Excellent !

I was, however, destined to meet with one very mortifying failure. Any one who had been "distinguished," as it was called, that is, named with distinction at these examinations, was to receive a silver medal I think, with other honours, at the end of the year. This was much coveted, and was really an earnest of industry and merit, for it required sustained exertion to attain. I had been successful twice, and being so far committed, strained every exertion to make the third venture secure.

This year Mr. Seed was Prefect of Studies, and at these quarterly trials, came round himself in person to examine us. He was a man well skilled in his *métier*, and a highly conscientious and honourable person. One of our "subjects" was a book of Horace's Odes, which we had to learn by heart ; this we all did, with more or less success, though in some instances, with less. I had hitherto gone on very triumphantly, passing successfully over the many jumps and pitfalls which our examiner put before us. In my Horace, I was really "letter perfect," that is in every Ode, save *one* short piece, which was at the end, and which by a curious perversity, fatality, or laziness it might be, I persisted in *not* learning by heart. "Surely," I said to myself, "it would be a defiance of all the laws of chance that he should pitch on this?" However, when it came to my turn and I stood up complacently to recite—

feeling impregnable as a rock—some cruel fate made him select this very ode! The exhibition that followed was lamentable, disastrous even. Not a single word could I furnish, and with a slow deliberation he took me through it, from beginning to end, supplying every word.

Our master hung down his head astonished and humiliated; the others stared. At last the humiliating performance came to a close, and I was released without a word. The worst was, others who had better distributed their superficial knowledge made a far better show, adroitly picking up the suggested words, and then going on for some lines. But my case showed a pitiable and wholesale idleness and ignorance. It was very hard, but I had to submit; I was pitilessly disqualified, all my other excellent display going for nothing. And I lost the medal.

To illustrate the important events—as they appeared to the youthful mind—that followed, I will now have recourse to my old journals, grown faded. Trivial they no doubt may appear, but they have at least the merit of being written with a genuine sincerity and enthusiasm. There are characters and incidents, all looming large and magnified, to the boy's mind, some apparently of dire import. I lately read them over with an entertainment which I have some hope the reader will share.

"It seems certain," they begin didactically, "that pleasure does not depend so much on the object, as on the frame of mind, habits, and associations, of the persons who enjoy it." It was on this principle, I think, that we used to enjoy Christmas so much at Stonyhurst. It was, as I said before, on account of our being Rhetoricians, of our having parts, and acting together with unanimity and as a *body*, above all being full of spirits and having a spirited master; this, I say, gave the charm to our Christmas. Everything was a public thing with us: we had public jokes and public fun. When we first returned, and were full of projects, schemes, and pleasant anticipations, and when the Superiors, most of them newly promoted to their posts, were bent on doing everything to make us comfortable, we determined to set on foot a journal, a weekly journal; and in order to give better effect we united with the school below us (Poetry). We were thus sure of more variety, as we had only six in our school. To the journal day we used always to look forward with the greatest delight, as a great treat. I used positively to long for it. The two masters took great interest

in it, and each in turn used to write an editorial article or critique, which was generally very funnily done and caused great amusement. Of course, no one gave his real name, so there were all sorts of guesses at the authors. I have a large bundle of my own lucubrations which I have kept carefully. The unfortunate A——, however, sent up some libellous verses, which our master censured most severely in public, treating them in a contemptuous manner, and in private, still worse. This was the commencement of a sort of war between them. I recall how angry Mr. X—— was about his offering the snuff-box in public. He lectured him severely; but two or three days after his affair of the journal, he came suddenly upon A—— round the corner in the passage, at the foot of the stairs that led to our little school-room. Poor A—— was taking a pinch. This happened when he was coming from the music-room at drawing-time, when Mr. X—— was "off master." He at first refused to give it up, saying that Mr. X—— was "off prefect," and had no right to ask it. However, after some demurring he surrendered it, muttering something about "going straight to the Rector." His master caught these words and told him he *should* go to the Rector, but that he should also go on his knees that evening at evening schools!

Well, evening schools came round, which Mr. X—— opened with a long lecture, saying that once a boy, at a good day, had made a similar answer to one of the Superiors who happened to be looking on and was not a prefect: "He was instantly," continued Mr. X——, warming, "turned off his Good Day, shut up in the infirmary for the rest of the day, and not released until he had made a full apology! Now A——, *put yourself on your knees.*" "I have not been to the Rector yet," said A——, sulkily. "Then go *now*, sir," rejoined Mr. X——, in a voice of thunder. Away went A——, slamming the door after him. After being absent more than an hour, he returned and *then* put himself on his knees.

It seems he had been to the Rector, and met quite an unexpected reception, for Mr. X—— had been beforehand with him in that quarter. So poor A——, instead of obtaining the redress he expected, got blown up tremendously. In all this Mr. X—— may seem harsh, but, as he afterwards told me, he had received the most particular instructions not to let a single thing pass, to keep him as tight as possible. These were the instructions he received from his father himself.

I now go on to detail another red-letter day, a day I shall always look back to with pleasure and delight. "Our Rhetoricians' Academy Day," in this happy year.

I have mentioned that it is always the custom at Stonyhurst that each of the three highest schools in succession should have their Academy Day. Ours, as being the highest school; accordingly led off, and gave the first or "Rhetorical Academy Day." Ever since our return we had been busily employed in preparations. I had been shaping and preparing a prologue. Mr. X—— had written the great ode, styled, "The Seraph of Mercy." There is always on the evening of the momentous day a feast for the Academicians, as a sort of reward for their services. This was the point of the whole to which in the true spirit we applied our serious attention. We determined not to be content with the regular fare, "black tart," tea, or negus, but to have something vastly superior, in fact, as W—— denominated it, "a *soirée*." With this view we began to levy subscriptions, amounting to about thirty shillings; and this was entrusted to our Joseph H——, who had relations at Liverpool, to remit to them. They were to make up a regular box, containing, as I particularly specified, so as to give a *distingué* air to the feast, a pine-apple, oranges *galore*, and, as I well remember, a "small plum cake, well iced over or sugared;" which, I can tell you, was well done justice to at the feast itself. For certainly a month before, we did nothing at dinner and supper but discuss what were to be the amusements of the day, or "the Do," as we would call it. Strange to say, Mr. X—— did not enter into it at first, and hardly tolerated this part of the business, viz., the sending for the cakes. In order to give greater *éclat* to the business, it was determined (on my suggestion, for I claim the whole and undivided merit in this part of the scheme) it should be, as I said, a *soirée*, perhaps a party. It was to be none of your vulgar, hackneyed *suppers*. It was furthermore resolved, on my move also, that little *scented* notes of invitation should also be adopted. Then we had a great discussion as to whom we should invite. The Rector, of course, and the Father Minister, to whom Waterton in person brought his note, Mr. Tom Cooper also, and Mr. Corry. A few nights before the day, Waterton and myself might have been seen in the reading-room after supper composing these little epistles, which I well recollect began: "The Gentlemen Rhetoricians" request the pleasure of Mr. —— to "their *soirée*," and this word was strictly



adhered to. Waterton wrote them in his neatest hand on fine note-paper, and sealed each with a *silver true-lover's knot* wafer! He wrote a beautiful hand, and was always called on to exercise his talent when there was anything special. Even when a Philosopher he did not escape, as he had to write out the *then* Rhetoricians' address to the Provincial.

Well, the momentous morning has arrived. We all got up rather nervous, as if some great task was to be gone through. On such days as these I generally rose in a high state of excitement, and continued so through the day. However, on this occasion I laid myself out for enjoyment, and in fact so did we all; and when we met in the washing-room early that day, there was heartiness of greeting among us, as of those going through the same undertaking together; a regular *Res gestae* indeed, as Alfred White would call it.

However, we of course all affected to be unconcerned during morning studies, and each of us who had to appear in the authors, gave a last touch to our knowledge. I had to figure in Horace, bk. i. and ii., and was tolerably well up in these. After studies were over, and we were moving in to breakfast, Mr. X——'s tall form was seen through the darkness of the morning standing beside the door. He called aside Waterton; this was to tell him that we had been guilty of a great omission in leaving out Mr. Seed, the Prefect of Studies, in our list of invitations; that he did not approve of sending such things *at all*, but as they *had* been sent, it was improper that he should be left out. Accordingly after dinner Waterton brought him the note, which he surveyed in a sort of haughty manner, and gave one of his significant "Ha's!" then added in his *husky* manner that "he should be very happy to join our circle."

Mr. X—— during the whole of that day was quite another man. He seemed to have thrown off all the burden of books and "schools," and to have made a resolution to give himself up entirely to amuse us. We, in consequence, never passed a more delightful time (of course excepting the *great "Rhetorician do"* at the end of the year, of which we will treat anon). As we came down from breakfast we found him amid all the bustle of the boys, who were snatching their caps, rushing down the gallery, flying out into the playground to get first kick at the football; we found him, I say, standing at the bottom of the stairs on the look-out for his men. We clustered round him without ceremony. He brought a piece of news, viz., *who*

was to examine us in the various books. The Rector was to ask me in Horace, and furthermore had signified his intention of asking me in the Second Book, just as I had wished. I have no recollection who the other examiners were, except Mr. Seed, the Prefect of Studies.

It was a fine, frosty morning, everybody was bustling about, and we hurried into the *mêlée* determined to have a good run to get warm and keep our spirits up. On such cold mornings it was the custom to have what was called "forcing." This was an exciting work, and consisted of this: instead of waiting quietly until the ball came to each of us, and then catching it and leisurely kicking "a bouncer," it was to be kept on the ground and no one to kick it, but it was to be carried on by the feet, the owner of the feet which were lucky enough to get the ball before them, running as hard as he could go, until it was taken from him, which it was sure to be in a minute or so, as the whole playground would be engaged in that object. Such was the game which on this morning we played with more than usual vigour.

Presently the clock strikes ten. The Academies were at half-past. We (the Academicians) leave off and hurry to fulfil what from time immemorial had been the custom on such occasions. First to the washing-place, where we scrubbed, &c.; then to the dormitories, where we got our best "togger" on—*starched shirts*, and above all, our *highly polished pumps*. These two points in themselves made us different men, for at Stonyhurst we *never* have starch in our shirts, and our brogues (not shoes) are always *greased*. I meant to be particularly grand on this occasion, as I had my grey trousers and patent leather boots, and a gorgeous handkerchief which I kept up for this occasion expressly. Coming down from the dormitory we found Mr. X—roaming uneasily about in the vicinity of the "brushing-place." He exhorted us to be of good heart and to keep up our spirits. We, however, were *screwed* to the sticking place, and in that state of desperation or excitation to be ready to go through anything. We brushed and scrubbed, and W—alone *shaved*, and finally we adjourned to the academy-room, where long since, as we guessed by the chatting and distant hum of voices, the company had already arrived. I entered the first academy-room by the door at the end of the priests' gallery (the privileged entrance) and shut the heavy door behind us, which sent its echoes all about. It was a splendid

room certainly, or rather two rooms, for an inner arch (which could be closed by sliding doors) divided them. This arch, as I stood at the far door, appeared to be quite blocked up with a sea of heads, undulating like waves. These were the seats for the boys in the next room, which ran from the ground right to the ceiling.

The loftiness of these two chambers (and their length too) was such that they seemed like halls, and every footstep echoed. A person speaking, seemed as in a *church*. High up round the walls of the first room was a series of pictures of the Stuarts, in their powdered wigs, also of beautiful women of the same family, their hair also powdered in the same fashion. How often, as I sat on one of the chairs ranged between the rooms for the Academicians on the great Academy Days, have my eyes wandered up to those portraits, studying every feature, when everything in that room seemed to wear a gorgeous aspect. When I would think that by to-morrow we were all to be at home! That in a short time some of those glittering prizes that adorned that oaken table in front of the Rector, some of those medals with the rich and motley ribbons hanging out of the gold and ebony casket, should be mine! Then my eye would wander to the long array of richly dressed strangers seated in rows a short distance from me. I often during this last year used to think with deep regret that I should be allowed only *once* more to sit in that chair, and look at the Stuarts, and get medals!

Round the room were ranged tall cabinets in glass cases, filled, some with minerals, some with stuffed birds. Forming a square in the middle of the room were a set of smaller cases, like counters with glass tops, and filled also with curiosities. Then at intervals were scattered about immense circular electrical machines of plate glass, six feet high, air pumps, galvanic batteries, &c. Between the windows was a huge Herschel telescope; down at the end of the room next the fireplace and fronting all (though at an immense distance, for they were the two extremes of the room) the spectators, were ranged the music-stands for the band, as yet deserted. The glittering ophicleide rested on end, the bright French horns and their innumerable crooks leant against the foot of the stand amidst piles of music-books. Above all there was the big drum, with "Stonyhurst College" in golden characters on it, while the huge double bass reclined lazily in a corner.

The hum of the boys was dying away as the note of a cornet sounded, and general tuning was heard. The band was now assembling. Little Mr. Wood going round to every one, asking them, as if a particular favour, "to sound his A." At last all are tuned: Mr. Wood keeps working his valves up and down, then goes and gives some parting directions to each. But we may not begin as yet. The Rector and the "nobs" have not arrived; it is always a point of state to keep us waiting *a little*. At length the door opens. All voices are hushed and the band finger their instruments; but no, it is only Mr. X——, who comes bustling in with a large neatly cut pile of clean papers in his hand. These are the bills. He walks on right through the rooms, the observed of all, and gives a batch to one prefect who sits on one side. For the prefects always sit one on each side of the boys and one in the middle to keep order. Now a strange scene begins, every individual drop in this sea stretching out and straining his body to reach a bill.

The door at length opened and in came the long procession. Mr. Sumner, Mr. Seed, Mr. Chadwick, Mr. Maclure, &c., *primores virorum*, all looking as gracious as possible, and Mr. Chadwick perhaps stopping to have some dry joke with the band. Every voice is hushed, and simultaneously the mass stand up as a mark of respect. As soon as the Rector and the rest are seated, the band at once strikes up.

The music at this "Academy" was first-rate. They began with the grand overture to *Tancredi*, a most effective thing at any time. This we got through splendidly. On that day the band was assisted in a manner it never was since; for Mr. Gillings, our dancing-master, a first-rate violin player, came; likewise Mr. Hill, the drawing-master, who played the violincello and who brought with him two brothers of the art, who played the violin to perfection. We thus had Shepherd as first violin, Gillings and one of the boys and the other master as second violins. The other artist played the tenor. There were two flutes, Meagher and myself; four clarionets, Ormandy (who played with great execution) and the three Taaffes; two cornepeans; two horns; three trombones, Ambrose, M'Quoin, and White; two ophicleides, Swift and Nathan Brown (Swift had some grand solos); besides drums, trumpets, and cymbals. The richness of the opening took even ourselves by surprise. The fulness, especially of the violins, scampering as it were simultaneously through rapid passages up and down, was conspicuous. Then

there was a solo of Swift's, on the ophicleide, "Il promesso." And lastly the pleasant little overture to the *Calif of Bagdad*. The opening movement in this is extremely pretty and intended solely for violins, so that Gillings and his fellows came out extremely well. The spectators were quite delighted, and certainly they ought to have been. Alas! from this time, however, the band rapidly degenerated. The worst day it ever saw was the Academy Day when Mr. Shepherd performed his solo on the violin, accompanied by an orchestra, and which called for the introduction of a new hand. Some of Shepherd's peculiarities have been already noted. He would come to the band of an evening, playing melodies, wild and extemporaneous things; his eyes fixed vacantly on the ceiling; this too, when we were all waiting anxiously to commence our rehearsal. He would perhaps, when in such moods, take a fit of being hypercritical in tuning, and go on in a maundering way from one to another of us, until we were nearly distracted with repetitions of the same note. On such occasions he would come in collision with Mr. Bird, the prefect who presided over our band meetings, who would blow him up in the morning, and through whose instrumentality I believe he was at length dismissed. Mr. Bird was a brisk little man, who was high in authority with the Superiors, but not very popular with the scholars.

Mr. Wood, a cousin of John Beresford's and his great friend, was pitched on as Shepherd's successor. He was a short, smart, little man, with clear piercing eyes, a high forehead, and always wore spectacles. His coming was a great acquisition to the College. He had, on an average, about twenty pupils at six guineas a year each. He likewise got a handsome allowance for leading the band. I may here add that Mr. Sumner, our generous Rector, gave at the commencement of the year the munificent donation of £10! This went a good way towards setting up our exhausted musical finances. White, too, and Waterton, just before I came back, bethought them that a public subscription for the band would be "a splendid idea," and I am ashamed to say, their course of proceeding was not exactly reputable. When the poor little wretches of the Lower Line came back with their pockets full of money, then would these harpies assail them with blandishments and flatteries, and in failure of these would proceed to the most awful threats. Thus they seldom failed of extorting five shillings or more

(perhaps half the poor victim's wordly substance). By such nefarious dealings as these, were the resources of the band restored to their pristine vigour. There was one strange little fellow, a new boy, who had not as yet learned the value of money, and perhaps had never seen a piece of the "circulating medium." until he came to the College. Indeed he was shortly after withdrawn, as having been too prematurely released from his mother's apron-strings. To him therefore his weekly allowance of sixpence seemed inexhaustible. As soon as he arrived, he was marked out by White and his coadjutors as a proper object on which to levy his black-mail. But no, the little wretch was inexorable, not one fraction would he give. In vain White threatened and swore he would thrash him on the first opportunity; he would wait, White said, till it was convenient. But no, he had plenty of money by him, but would not give it. White was fairly beaten. At last one day the little wretch came up to him and, with the air of a prince, informed him that *now* he was ready to give his subscription to the band. That he did not like to be stingy. "Come to me," continued the little upstart, "at four o'clock, after buying, and if there is anything over out of this," showing a sixpence, "after I have paid for my tart and my library subscription, I shall not grudge it." At this magnificent offer, White could stay no longer, but gave him a sound thrashing on the spot.

For a month before we had practised the various pieces of music with great pains, all for our Academy Day. We began with the "English Quadrilles," a medley of old English airs, and we played them with great spirit. At their conclusion there was a good hearty clap of approbation. The hum began to rise again, and the band laying down their instruments proceeded to execute the nervous task of walking from their position near the chimney-piece, right across the two rooms, in a long straight line, having then to run up the seats at the side and find places for themselves if they could. Such of the Academicians as belonged to the band, instead of going up to look for seats, took their places (which had been previously secured by leaving handkerchiefs or gloves, &c.) on the chairs, disposed in two rows facing each other between the doors, where the academic victims were to sit, and have their every motion, gesture, and every article of dress, commented upon by the spectators above, who had indeed little else with which

to occupy their time. They tried to look indifferent, and folded their legs over each other. Right in front of them, and before the Rector, was a round table with a green baize cover, with a long line of great school books on it; all new and brought fresh down from the library for the examining part of the business. It had a sort of guillotine look.

Everybody is now in their seats. The chatter dies gradually away, and a pause of expectation succeeds. The Rector and the other *primores virorum* gather their gowns comfortably about their legs, and compose themselves to listen. All eyes were then riveted on myself, for I was the person who had to speak the prologue. That was the nervous point! I arose from my chair and walked majestically into the middle of the room, made my bow and began: "In Royal state," &c., my own composition. I got respectably through it, after all the usual quantity of gesticulation, starts of wonder, &c., and, to my unspeakable gratification, without having "stuck"—sat down greatly relieved. There was the customary clap given.

Now there was an author to be examined in. The form for this is always the following. First the two *examinees* advance to the green baize table, and take from among the books there ranged, each, two copies of the respective author—thus seeking their own instruments of torture. They each carry a copy to the examiners, who may be seated in different parts of the benches. Then the examiner picks out a passage "at random," the said examiner having previously studied said passage early that morning. Then follows some joking, the examinee, sick at heart, laughing with a ghastly smile. His fellow having gone through the same ceremony, they both betake themselves to the middle of the floor. On this occasion it was J. Holme and Waterton. "Tom," of course, made a funny business of it, making odd replies which convulsed the spectators. Then came White in Mr. X——'s ode, *In sodalem proflantem toto pectore somnum*, which he delivered with such a comic gravity and grotesque earnestness, that the gods, though they did not understand a word, were delighted and laughed uproariously.

But the gem of the performance was "our *Joseph*" in Shakespeare's "Blow, blow, thou winter wind." With his rosy cheeks swelled out, he seemed an impersonification of the winter wind itself, delivering the word "Blow," with extraordinary earnestness. Then I had to come on again in the Horace, and stand out in the middle to be stared at. Father



Sumner "put me on" at the pretty ode, *Æquam memento rebus in arduis*. For *rebus in arduis*, I gave "the dark hour," to which he objected. There was questioning about *interiore nota Falerni*, which I did not then understand, but which Mr. Chadwick afterwards informed me (for he had been whispering Father Sumner and put it into his head) had regard to some obscure interpretation which had been told him many years before by a German commentator. He rendered it, "Wine marked in the innermost part of the scroll," which would be the oldest, as the Romans always began at the part next the stick; of course I did not know this piece of criticism.

Mr. Sumner, after my doing nearly the whole ode, expressed himself satisfied, and I retired to make way for M——, who was to do the Terence, under Mr. Seed's administration. He (Mr. Seed) spoke some dry words, with his usual effect. Last of all came Foxwell, the best speaker in our school, I may say in the College. His task was "*the Ode*," which is always looked for as a *pièce de résistance*. I need not say, "The Seraph of Mercy" was written in Mr. X——'s best style, as may be seen on referring to my copy of it. Foxwell gave it well, especially the last line, the change from the impassioned to the quiet style. How well, even at this distance, I remember the lines:

Obtrusive came the Eastern ray,  
To chase Night's dreary shades away.  
Left I the hermit's lonely cell.

There is something very neat in the epithet "obtrusive." The ode was deservedly popular among our school, for we had a high opinion of Mr. X——'s talents. And though in school he was always a rigid disciplinarian, and ruled us "with a rod of iron," as it is called, out of school we always liked him, and were rather *proud* of him.

He was besides so witty and funny, it was impossible to help liking him. And though he did not enter much into our amusements (unless so far as studies, doing an ode, or presenting one to the Rector, when he was all enthusiasm), yet whenever he did, he was so public spirited, and joined us with so much vigour and such indulgence, really laying himself out for the work, that he was worth fifty of the others less severe, but yet lukewarm.

Above all he was as steadfast as a rock to his promises, whatever he said he did, whereas others would forget or be

careless about the matter ; he was the most overworked man in the house, having to attend to all the slavery of the choir and to his school. I have often seen him, when the others were going out fishing, or on some other amusement, shut himself up in his room to make up some of our authors for the next day. And during Christmas he always made this his practice, working at the stage business all day, and even giving up the great monthly dinner on Blandykes, usually held on such occasions. The idea of such self-denial seemed to us above nature. He was a fine character, and yet all this was the effect of a strong religious feeling, for he was very delicate ; he went on the principle of overcoming himself. I often saw him wearied out at evening schools with a day's exertions, working away nevertheless at the day's subjects. This was what he was always trying to instil into us, not with very much success, I am afraid. .

But to return to the academy-room. Foxwell finished his piece, then the band came on again ; and then everybody rose up—*surrexere omnes*, as W—— would say—and the Prefect of Studies with the momentous red portfolio in his hand stepped into the middle, and began the proclamation of the order of composition in Latin, commencing with the old-established formulæ : *Quarto Id. Nov. comitiis habitis, et nova renovatione magistratuum facta, renuntiantur, in rhetorica, Imperator Primus, &c.*, and so on till all the names are got through. It is a very anxious moment for those expecting high places, also for those who were calculating who were to be their neighbours at dinner, breakfast, or supper, for all the places changed with the compositions. "Our Joseph" was first that time, as I knew he would be, on the dark evening we were writing our compositions by gaslight up in our snug little rooms. At the end when we were going down to the play-room, some of us stayed and read over each other's compositions with Mr. X——, which was great fun. Joseph, in his Latin oration (a right good one, for he was a sound man), introduced a quotation with *Ut ait noster Horatius*. On that occasion I wrote that ode beginning, "Who is treading his nightly round," which Mr. X—— gave us as a subject. He took it from Mr. Seed's experiences, who, in addition to his being Prefect of Studies, had taken on himself the duty of supplying every Sunday a little chapel some miles off. Often a sick-call would come on a pelting, pitiless night, when he had of course to turn

out. On his way he had to cross a river which was often very much swollen, and coming so late at night he would find nobody to ferry him over but himself. The boat being an old flat-bottomed thing, on these stormy nights he would often be an hour in crossing, the waves being so tempestuous. This was the subject he gave us; he dictated also a series of "heads," which I have also still among my papers. I got *third*, Waterton *second*. At the third examination, I got second, the highest place I ever got, and J. Murphy was first.

The Academies being now over, all the boys hurried down to the playground, while the Jesuits and *primores* came down for their places proceeding *longo ordine* through the academy-rooms, stopping on the way to give congratulations, &c., to those of the performers who still occupied the seats. These at length cleared off, and we still remained full of spirits and of joy at having got rid of the heavy load which had been hanging over us so long. Now we could look forward to the rest of the day for unclouded enjoyment. We, too, were in much good-humour with each other, and began talking over our escapes from "breaking down;" our conversation being interspersed with such exclamations as this, "Well done, *my dabs*," "but did you see 'the Joseph,'" &c. Presently up came Mr. X—to give us a full report of all that was said of us.

He was highly pleased with the result. "And now," said he, "we must see how we can enjoy ourselves for the rest of the day." We proceeded to execute the ceremony invariably customary on the Rhetoricians' Academy Day, viz., the delightful task of moving out all the above-mentioned air-pumps, electrical machines, mineral cases, &c., into a room just near, at the top of the boys' staircase to the academy-room, which was called the lathe-room. The purpose of this was to make a clear space for the stage which was to be put up—only think!—that very evening. For in addition to our present joys, Christmas was little more than three weeks off. This, as may be imagined, was a labour of love.

It was a curious room, that "lathe-room," very dark and gloomy; all about there were immense lathes, circular saws, planing desks, and all kinds of tools, the floor strewn with shavings. At one end there was a deep recess to which you descended by steps, and here were all the scenery, trees, portable houses, practicable doors, and windows stowed away. There was no ceiling to the room, but great oaken beams went across

from end to end, and on these were disposed all the timber-work (no inconsiderable quantity) of the stage. From this retreat they were regularly withdrawn every year, on this day (the Rhetoricians' Academy Day) and to this resting-place were they as regularly restored as soon as the happy Christmas-time was over.

In this occupation we spent a very pleasant hour, and worked away with such vigour (Waterton's huge capabilities being of essential service) that in a short time we had everything out, and the academy-room looked as bare and desolate as an unfurnished house, bearing a very striking resemblance to a ball-room. We then hurried off to dinner, presenting to the rest of the natives a very spruce aspect in our new clothes. We sat down and discussed the proceedings of the morning, and the fun we were to have this evening. The other boys were roaring and in good spirits, too, though they had not the same inducement, but then they were to have half an hour less night studies: and some buying also from Kenrick and Tom at four o'clock. And though a little envy of the lucky Rhetoricians might get in among them, they managed to enjoy themselves pretty well.

## Reviews.

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### I.—THE BLESSED VIRGIN IN THE FATHERS OF THE FIRST SIX CENTURIES.<sup>1</sup>

FATHER LIVIUS' work, as the Cardinal Archbishop states in the Preface, is to a large extent a book of reference, and as such it must find a place in every theological library which makes any pretence to completeness. But it is also a single massive argument in defence of the antiquity of the Church's present teaching concerning the Mother of God as formularized in her theology, and implied in the practice of the faithful. According to the doctrine of development—which is treated very admirably in the first four chapters—an idea, being one and the same in substance is apprehended with varying degrees of distinctness by different individuals and different ages. As children we receive the same symbol, the same faith as our parents and teachers, but confusedly and imperfectly. So with regard to many accessory doctrines of Christian faith. As one first views a landscape-painting from a distance as a whole, and then draws near to examine details otherwise scarcely visible, and sees them in their connection with one another, and with the main subject; so in early times the Church viewed the objective revelation from afar in its rough outline, and as she draws nearer day by day, unnoticed details spring into prominence—in a word, the object considered is the same, but the apprehension of it grows in distinctness.

Thus when Father Livius has heaped up his evidence before our eyes in some three or four hundred pages of citations from the early Fathers, our mind feels perfectly satisfied that the Church's *idea* of the Blessed Virgin has been consistently one and the same throughout, ever more and more clearly grasped; that what heretics are pleased to consider accretions,

<sup>1</sup> *The Blessed Virgin in the Fathers of the first six centuries.* By Thomas Livius, M.A., C.S.S.R. London: Burns and Oates, Limited, 1893.

are but corrections and harmonizing explanations of one great thought. Still for the majority of Catholics, who are unacquainted with the patrology of the first six centuries, there will be perhaps a sense of agreeable surprise on finding in the laudatory language of so many of the Fathers the very tone and spirit of St. Bernard or St. Alphonsus. Even if we know comparatively little of the popular devotion of those days from other sources, it is quite lawful to infer that, however in advance of the theology and exegesis of the learned, it certainly was not behind them; for as a rule the faithful feel their way on faster towards truth than the theologians, who wait behind till they can see. We can conceive nothing more distressing to a good Protestant than the "Mariolatry" of Methodius, Epiphanius, Ephrem, Ambrose, and many others; but there it is, and no amount of explanation will really purge them from the suspicion of being no better than modern Roman Catholics in this respect.

We have spoken of the prevailing *idea* of the Blessed Virgin in all ages. Father Livius makes it clear that its earliest and radical form presents Mary to us as the second Eve—*Mutans Evæ nomen, i.e.*, in virtue of her likeness and her unlikeness. This itself is no doubt a development and more distinct definition of the *idea* of Christ as the second Adam, which in turn lights up the prot evangelion (Genesis iii. 15) with a new wealth of dogmatic significance. From this idea of Mary arises a clearer notion of her office as co-redemptress and Mother of all who live by the supernatural life of grace. Her absolute victory over the serpent requires her Immaculate Conception and her immunity from corruption in such a way that we feel, that prior to the distinct apprehension of these truths, the *idea* was blurred and imperfect, whereas now, by these so-called accretions the imperfection of error has been removed, and the underlying truth shines out bright, like metal purged from its dross. We feel that the later Church has only said what the earlier Church wanted to say.

Father Livius gives all the evidence *pro* and *con* with the strict impartiality of a judge; and indeed he deserves no great praise for this, so little is there of a kind to offer difficulties to Catholic theology. The whole work is an excellent concrete example of what is meant by the "morally universal" consensus of the Fathers. We are not concerned by the obscurity of an individual utterance here and there, but we are carried away by the acclamations of the crowd, whose cry, more than a thousand

years ago, is as familiar and welcome to Catholic ears as it is strange and unintelligible to Protestant. Besides the introductory chapters already alluded to, there are several other important elucidations of the passages from the Fathers which make up the body of the work.

We may congratulate Father Livius on bringing his difficult and laborious task to so successful an issue.

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2.—A NEW TESTAMENT FOR THEOLOGICAL STUDENTS.<sup>1</sup>

It has long been to us a matter of surprise that no Catholic scholar has hitherto thought it worth while to prepare a critical edition of the Vulgate and the Greek Testament in parallel columns for the use of theological students. We may be mistaken, but beyond a now antiquated work of Tischendorf's early days, we believe that the only such edition obtainable has long been the stereotyped Tauchnitz 12mo, edited by Theile. This indeed must have sold by the thousand, and proved a veritable mine of wealth to the fortunate publishers. But it is an unsatisfactory work, lacking prolegomena of any sort, and reproducing in substance the *textus receptus*, a text now "received" only in name. Messrs. Herder then have acted with their usual judgment and enterprise in publishing this new critical edition, the work of a distinguished Catholic scholar, Frederick Brandscheid, who has devoted many years to its preparation.

The work is issued to the public in two parts, purchasable separately. As expense in the matter of students' text-books is a very important consideration, we may mention that each of the two parts, though they are of very unequal size, costs five shillings. The larger division of 488 pages contains the text of the New Testament, the Greek and Latin printed in parallel columns in large and clear type. For the Vulgate the editor has contented himself with simply reproducing the text of Vercellone brought out in 1861. We may venture incidentally to express our surprise that we do not find mention anywhere in the book of the recent critical labours of Wordsworth and White. For the Greek, on the other hand, Herr

<sup>1</sup> *Novum Testamentum Græce et Latine*, pp. vi. 488, *Handbuch der Einleitung ins Neue Testament*, pp. viii. 196. By Frederick Brandscheid. Freiburg: Herder, 1893.



Brandscheid has constructed his own text, which may be described in general terms as approximating to that of Westcott and Hort, but with strong conservative leanings wherever these editors exhibit a more marked divergence from the text presupposed by the Vulgate.

The statement of the principles upon which his revision has proceeded is embodied by the editor in the second division of his work. It is written in German, and constitutes, in fact, a full and valuable introduction to the critical study of the text of the Greek Testament. We have, in the first place, some sort of general analysis of the contents of the different books. This is followed by a discussion of the history of the earliest manuscript copies and their multiplication, with remarks upon their arrangement, upon the canon, and upon the orthography. The same critical discussion is then repeated with more fulness of detail, as far as it relates to our actually existing codices and their orthographical and palæographical peculiarities. Next is given a sketch of the history of our printed text, both for the Greek and the Vulgate, not omitting some notice of the labours of modern scholars. Finally, the editor sets before us a statement of the principles of textual criticism, illustrated by a discussion of some two dozen selected passages, in most of which Herr Brandscheid pronounces against the too revolutionary tendencies of Westcott and Hort. This with a rather meagre tabulated arrangement of the events of the Gospel history, which serves roughly to indicate editor's views on harmonistic questions, completes the volume.

It will be understood from our brief account of the contents that the work published by Messrs. Herder is a valuable one, and one for which Catholic students have much reason to be grateful. And yet, given the desirability of a revised diglot, we are a little bit disappointed with the form in which the work comes before us. In the first place, a quarto more than two inches broader and a good inch taller than the cover of this Review, is not the most convenient form for a volume which might be expected to be one of daily and almost hourly reference. But supposing this size to have been selected, as we take it must have been the case, as the traditional *format* of a *Festschrift*, there might, it would seem, have been room in its broad margins for at least a selection of those readings which the editor, for reasons satisfactory to himself, has rejected from the text. And this is a point which we will take the

liberty to urge very earnestly upon both editor and publisher. There can be no reasonable doubt that a smaller and more handy edition of this diglot Testament will be published before very long ; neither have we found anything in Herr Brandscheid's recension, even though we may differ from him as to many individual readings, to unfit it to serve as the accepted representative of Catholic scholarship in such a matter, but what we do contend for is that room may be found at the foot of the page for the principal *variæ lectiones*, together with some concise indication of the source from whence they are derived. There is not the smallest need to dazzle the eyes of the reader with that formidable array of variants and cabalistic references, owing to which a simple inspection of Tischendorf's text is almost enough to send the uninitiated away with a headache. Nine-tenths of these small divergences are of no practical importance for the understanding the meaning of Holy Writ ; but half a dozen or a dozen times in a chapter we meet with readings common, it may be, to a whole family of cursives or the uncials, or again attested by some early version, or it may be even a rather extravagant variant of the *Codex Bezae*, which the student will be extremely glad to have his attention drawn to. Neither need there be any danger, if proper use is made of the many devices in which modern typography is so resourceful, either that undue prominence should be given to readings that are clearly inadmissible, or that the reader should be worried and perplexed in his perusal of the text by a cloud of asterisks and obeli. On the other hand, there is to our mind a certain incongruity in the idea of any scholar, however competent, drawing up a recension of the text which in some sense is offered as final and authoritative, and in which no hint is given where we are treading on firm ground and where we have only an individual opinion to rest upon.

It will have been understood from what we have said above, that the leanings of Herr Brandscheid are decidedly conservative. We are not surprised, therefore, to find the testimony of the three heavenly witnesses in its usual place. But though we should not ask him to make such a radical change in a work intended for a student's handbook as to exclude these verses altogether from his text, it is to our thinking a strong condemnation of the system he adopts that the student should find them there without the least indication to tell him that they are not as well supported by manuscript authority

as the commission to teach and the formula of Baptism. There are many of the readings adopted by Herr Brandscheid which might afford matter for interesting discussion, but this review has already occupied more space than we intended, and we forbear.

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### 3.—DE DIVINIS SCRIPTURIS.<sup>1</sup>

Under this title we have a very convenient compendium for the use of beginners. It embraces in a briefer compass much of what is best in Franzelin's *De Scriptura*, though of course the author's treatment is his own. To judge of it as a polemical treatise against destructive Bible criticism would be to mistake its scope. Not that modern difficulties are ignored or passed over, but that the solutions offered are rather intended for the protection of the defendant than for the satisfaction of the objicient. Of course in a text-book it would be unreasonable to look for a complete sifting of each difficulty; still it may be well that even beginners should not underrate the seriousness of their opponents and the weight of their objections. In this way the tone of the book is not always satisfactory, and gives us an impression, rightly or wrongly, that the learned author has not sufficiently realized in imagination his adversaries' position or personally felt the perplexities which he unravels for others off-hand. Sympathy is essential for successful controversy; but then, as we have said, this book is not primarily controversial, but didactic.

Among the many excellences of the work we would draw attention to his very admirable summary of the evidence for the authenticity of the Gospels;<sup>2</sup> to his presentment of the current theological teaching on the nature of inspiration;<sup>3</sup> to the very practical rules of interpretation brought home and made concrete by examples of errors resulting from their neglect;<sup>4</sup> and, lastly, to the outline of Biblical Archæology which forms Part IV. of the whole book. This last might, we think, have been called an Appendix rather than a Part, being strictly as much outside the logical entirety of the work as a treatise on Hebrew grammar would be. But in default of elementary text-

<sup>1</sup> *De Divinis Scripturis, earumque interpretatione, brevis institutio.* Auctore P. Aloysio Senepin, S.J., Script. Sac. et ling. Hebr., in Collegio S. Davidis Moldensi Professore. Lyons: Delhomme and Briguet.

<sup>2</sup> Pp. 58—64.

<sup>3</sup> Pp. 77—92.

<sup>4</sup> Pp. 131—143.

books on the subject, its insertion supplies a great desideratum. Amongst minor details we notice that the transfer of the first chapter or two from the beginning of Josue to the end of Deuteronomy, is spoken of, not as a hypothesis, but without qualification, as a fact.<sup>1</sup> Again, we do not think the argument on p. 22, from the title of the Book of Proverbs, proves that it was written by Solomon. At the very most it would show that these proverbs were spoken by Solomon. The author seems to wish to hold that the LXX. interpreters were inspired, although he does not go so far as to say so positively.<sup>2</sup> Surely we ought to hold out as long as possible against a theory that would create a thousand new difficulties and invalidate the solution of a thousand more. His argument from 2 Timothy iii. 16, for the inspiration of Scripture, however logically cogent, is necessarily thin and unsatisfactory, based as it is on a single text which needs a couple of pages of apologetic exposition, and whose inspiration cannot of course be assumed.

As to the precise limits of inspiration, the stricter view is wisely followed, although word-for-word inspiration is rejected. We are told that the substance of the revelation in some supernatural way is suggested to the mind of the inspired author—his will being at the same time moved to record the suggested matter. The expression, clothing or embodiment of the revelation, is human and individual; the soul or substance is Divine.

There still remains place for endless disputation as to how much belongs to the substance, how much to its setting. The question to be answered in each case is, what God precisely intended to communicate, whether *propter se* or *propter aliud*. That God created the heavens and the earth is certainly the truth revealed in the opening chapters of Genesis; that much more than this is there revealed is plain from other parts of Scripture; but who shall say precisely how much is only the setting in which these truths are conveyed to us. Surely all this points to the need of an infallible living interpreter, and to the utter helplessness of mere Bible Christianity.

<sup>1</sup> P. 6, n. 3.

<sup>2</sup> Cf. p. 46, n. 4.

4.—A SCRIPTURE TEXT-BOOK.<sup>1</sup>

If Father Vaughan's most valuable compilation will be a welcome companion to all intelligent Catholics, it will be doubly welcome to preachers and theologians. Planned, as it is to a great extent, on the scheme of the *Summa Theologica*, the two together make an almost perfect equipment for the sermon-builder. But as a devotional manual for the contemplative the book is no less precious, and has been expressly adapted to this purpose, supplying us with prayers, litanies, and praises in the inspired words; and we do not doubt but that it will be largely used by those who make meditations for themselves or for others. It is divided into five books, subdivided into parts, and very satisfactorily indexed—otherwise indeed it would be almost useless. The order of treatment is as follows: God in Himself, *i.e.* the Divine Nature, the Trinity; God in relation to us, as our Creator, as our Redeemer; man's last end, and the means thereunto. Under the last heading, man's free-will and accountability; the law and grace; virtues and vices; theological and cardinal virtues in detail; the Church and the sacraments, so far, the means; then in reference to end, death, judgment, Heaven and Hell. All texts bearing on each topic are given with their references, first those which are used in the literal sense, then such as are taken in a mystical sense; lastly, those that are simply applied in the Liturgy of the Church or by ecclesiastical authority.

Each book and part is as a rule prefaced by a short introduction, summing up in a manner which is at once clear and condensed, the doctrine of St. Thomas concerning the matter in point.

The book has no rivals to dread, being, so far as we are aware, the only one of its kind in English. It runs to nearly a thousand pages and is, notwithstanding, very compendious and handy, although to secure this it is printed on very thin paper. Seeing it consists of inspired utterances, we may say of it without any hesitation, *Thesaurus est infinitus hominibus*.

<sup>1</sup> *A Scripture Text-Book.* By Rev. Kenelm Vaughan. London: 28, Beaufort Street, Chelsea, 1893.

5.—LIFE OF ST. PETER CLAVER.<sup>1</sup>

After the thought of our Lord's love for sinners, and of His sufferings for their salvation, nothing is better calculated to kindle the zeal of the missionary, and stimulate him to generous self-sacrifice for the conversion of the heathen, than the example of the apostolic men who have spent their strength and offered their lives in order to spread the faith of Christ and the knowledge of the Gospel in distant lands. It is in the hope of stimulating the students of St. Joseph's Seminary and of the Apostolic College in Baltimore to follow their example, that a series of the biographies of celebrated missionaries is being published; and of these, few offer such an instance of heroic charity as does St. Peter Claver, the subject of the neat little volume before us.

The early life of the Apostle of the Negroes was uneventful. The scion of a noble and illustrious family of Cataluna in Spain, he was almost from his infancy destined for the ecclesiastical state. So great were the piety and virtue displayed by him, that his father did not fear to send him to begin his studies at a distance from home, in the city of Barcelona, where pleasure was the chief pursuit of the people. When old enough to receive minor orders, he sought, with his parents' consent, admission into the Society of Jesus. As a novice he is said to have been perfect; from the first day all the exercises of the religious state seemed as familiar to him as if he had practised them his whole life. He had scarcely anything to learn, nor was there need of reforming anything in him. When sent to Majorca for his course of philosophy, he formed a close friendship with St. Alphonsus Rodriguez, the saintly porter of the College, and under his guidance advanced rapidly in sanctity. St. Peter Claver's future vocation was revealed to St. Alphonsus, who in a vision beheld a glorious throne in Heaven, and was told that it was for his disciple Claver, in recompense for the great number of souls he would gain to God in the West Indies. He it was who inspired the young man with compassion for the unfortunate negroes taken from Africa to work as slaves in the Indies, and exhorted him to ask his Superiors to allow him to labour for their salvation. In 1610 Claver set sail with some

<sup>1</sup> St. Joseph's Missionary Library. 2. *The Life of St. Peter Claver, S.J., the Apostle of the Negroes.* Edited by a Father of St. Joseph's Society. Philadelphia: H. L. Kilner and Co.

other fellow-religious for Carthagera; from that moment so completely did he forget all he left behind in Europe, that during the forty-four years he lived in the Indies, he was never heard to speak of or ask about any event that might be occurring there.

At the age of thirty-six he was ordained priest, and it was then that his missionary career commenced, his life of complete and almost unexampled devotion to a race which held the lowest place in humanity, to individuals in every way unattractive, nay repulsive to the natural feelings and instincts of a well-born and refined European. His courage, his zeal, his endurance, his untiring charity were indeed heroic. On the arrival of a shipload of negroes he hastened to the harbour with food and delicacies to win the confidence of the poor savages. He embraced them, he encouraged them, he washed their wounds, he tended the sick, he supported the aged, he interceded with their masters on their behalf. When he had overcome their apprehensions, he endeavoured to prepare them for Baptism, and to instruct them in the truths of religion. Every page of this biography is full of interesting incidents, of marvellous instances of patience and energy. Nothing was impossible to him, when his dear negroes were in question; nothing daunted him, though he sometimes sank to the ground from exhaustion. One Lent he confessed more than five thousand negroes; and it appeared that he baptized at least four hundred thousand. Oftentimes his labours were met with apathy, hostility, misrepresentation. His perseverance is perhaps the most extraordinary, the most admirable of his virtues. Day after day, for forty years he repeated the same round of work, and we all know how difficult and irksome this is to human nature. To quote the words of the Preface:

His actions are heroic, his miracles stupendous; but they are always the same, ever in the same place, and for the same despised negro slaves. What was done yesterday, St. Peter Claver repeats to-morrow. So his forty years roll on in a crucified sameness. Variety in suffering, change of place and work, was denied to St. Peter Claver. Nature had nothing to cling to in those forty years of Christ-like sacrifice among the slaves of Carthagera. This fidelity to duties so painfully monotonous was an essential element in the holiness of his life. In Christ crucified he found the power and wisdom of God. And it took the strength of Christ to continue it so faithfully. (p. 10.)

The English reader will be interested to learn that an



Anglican archdeacon was amongst the converts of St. Peter Claver.

The account of his last years and final sickness are most pathetic, seeing that he who for so long a period had been the Apostle of Carthagená, who had ministered to the temporal and spiritual wants of all, whose virtues and miracles had won universal affection, respect, and admiration, was forgotten and abandoned by all.

A brief account of St. Joseph's Society, the object of which is the evangelization of the coloured races in America, is appended to the Life of the Saint.

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6.—TWO OLD ENGLISH BOOKS ON PURGATORY.<sup>1</sup>

The two seventeenth century treatises upon Purgatory which are reprinted in the eighty-seventh volume of the Quarterly Series will have a special interest for the many friends of the late Father John Morris, S.J. Much of his spare time during the last few weeks of his life was spent in passing this work through the press, that it might be ready for issue by the beginning of November. The second of the two treatises was new to him, and it was characteristic of the man and of his keen appreciation of the religious life and of the language of our forefathers, that he had worked his way through very few of the sheets before he had grown quite enthusiastic in his admiration for the author, Father Thimelby, and was loud in expressing his regret that we had no more books preserved to us from the same pen. To the writer of this notice, who was then occupying an adjacent room, Father Morris would come in sometimes twice in a morning, with the newly corrected sheets in his hands, and with a concise preface, "Just listen to this," he would read out a page or more that had particularly struck him, emphasizing favourite passages and interpolating comments upon the strong and vigorous eloquence which underlay their quaint expression.

One of many such passages which excited his admiration

<sup>1</sup> *Two Ancient Treatises on Purgatory*, i.e., *A Remembrance for the Living to pray for the Dead*, by Father James Mumford, S.J., and *Purgatory Surveyed*, by Father Richard Thimelby, S.J. Edited by Father John Morris, S.J. Quarterly Series. London: Burns and Oates, Limited, 1893.

may in part be quoted here as a specimen of Father Thimelby's forcible manner :

You may imagine all the virtues to come in upon this ; and either voluntarily, or by a sweet kind of violence, to set upon these captive souls, with a new and fierce storm of reproaches.

*Faith.* If you believed there was a Purgatory, indeed, miserable creature ! why did you not live so as to avoid its cruel torments ?

*Penance.* Is it you that were so frightened with my rigours, so terrified with my sweet austerities, with which I would have preserved you from these cruel torments ? Tell me now, where are your damask beds, your soft quilts, your down pillows, your fine sheets, that were smoother and whiter than milk and cream ? your sweet bags and perfumes, all your dainties, all your vanities, all that modish attire and bravery, which did so besot and enchant you ? One sigh, one tear, one act of self-denial, would have kept you out of this place of torments ; answer me now, and let me hear what you have to say for yourself.

It would be curious if, as seems not unlikely, the volume of manuscript sermons from which Father Bridgett gives many interesting extracts, in an earlier page of this number, is really the composition of Father Thimelby. In this tractate on Purgatory, as well as in the sermons, may be found an occasional reference to political events.

Tell me, was not our dread Sovereign, during his late banishment, more puissant and more mighty than his subjects, who lived still in their own country, at their ease, and perhaps in greater plenty ? For we see him no sooner restored to his undoubted right, but he is every way as great a King as his predecessors, as richly attired, as much courted by foreign princes, and as gloriously attended at Whitehall ; whereas the rest of his nobility and gentry are but his creatures and most humble servants.

Both the treatises contained in this volume have been printed before in the St. Joseph's Ascetical Library, but they have long been out of print, and it is convenient to find two old English tracts of nearly the same date which mutually supplement and complete each other, bound up together in the same cover.

7.—THE BATTLE OF ROS-NA-REE ON THE BOYNE.<sup>1</sup>

The names appended to the several works, whether historical or literary, which, for some years past, have met with favourable notice from the reading public, show that the Catholic clergy of Ireland are once more taking to the study and elucidation of the voluminous, yet scanty survivals of their native literature. No one who has been permitted to glance at the dark and time-worn MSS. which have escaped the wanton vandalism of racial antipathy and sectarian fanaticism, will wonder that the pioneers of this, in the best and highest sense of the word, national undertaking, have occasionally failed to steer clear of faulty transcriptions, and of hazarded conjecture in assigning a meaning to ἀπαξ λεγόμενα, or to antiquated words and idioms. The difficulties of their task, and the lack of aught worthy of the name of a Gaelic dictionary, may be pleaded against the requirements of a perhaps too evident criticism. But the work under present notice needs no such appeal *ad misericordiam*, as is shown by the unqualified approval expressed in a recent issue of the *Academy*, by the most competent and best-read Celtic scholar of our times, Whitley Stokes. *Laudari a laudato* is the well deserved guerdon of the Rev. compiler's strenuous and successful labours. We must defer to our February number a fully detailed notice of a work in no wise unworthy of the best traditions of the illustrious Order to which he belongs, or of Ireland's literary fame. Yet a necessarily rapid examination enables us to confirm the testimony universally given to his scrupulous accuracy no less than to his thorough knowledge of his subject. To the several texts of this saga he has added, besides an all but literal translation, copious *indices verborum*, and last, though not least, a much needed supplement to Gütterbock's index to Zeuss' *Grammatica Celtica*, whose method he has closely followed, we might even say, improved upon, in his appended Treatise on Irish Neuters.

The saga, now translated and printed for the first time, deals with one of the main incidents of the Seven Years' War, dated approximately at the dawn of the Christian era, which forms the theme of the Gaelic *Epopœia*. As in earlier and

<sup>1</sup> *Cath Ruis na Rí for Bóinn. The Battle of Ros-na-ree on the Boyne.* With Preface, Translation, and Indices, also a Treatise on Irish Neuter Substantives. By Rev. Edmund Hogan, S.J., F.R.U.I., M.R.I.A. Dublin: Hodges, Figgis, and Co., Grafton Street.

more widely known epics, historical fact is overlaid by legendary fancies, but, while allowing all the reservations of criticism, Father Hogan very reasonably asserts the reality of the leading personages in this warlike drama, and the probability of an historical basis for the highly-coloured narrative of the bardic author.

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8.—UNDER A CLOUD.<sup>1</sup>

We have become familiar with the initials M. F. S., as those of the author of several charming little stories suited for children of the poorer classes, and it is with pleasure that we descry them on the title-page of a new shilling volume published by the Catholic Truth Society. The present story is intended for more educated readers; this time the writer does not bid us follow her into the alleys and courts of a crowded city, to observe how the soul of some poor outcast, ignorant, and degraded in the eyes of men, is rescued, sanctified, and beautified by the Holy Spirit of God, and made fit for the company of the angels; nor are we shown how by the patient self-denying exertions of some obscure priest, many a street arab or youthful criminal may be converted into a useful and respectable member of society. It is to the pleasant country home and well-ordered household of a family belonging to the educated and well-to-do class, that we are introduced, and we follow the fortunes of its members when the death of the father, and a subsequent diminution of income, compels them to let their house and remove to a comparatively small dwelling in London. This trouble is the cloud which overshadows the otherwise sunny path of Cyril Charlton and his sisters Faith and Hope; it is rendered heavier when the young man thinks himself obliged to leave the accountant's office where he has found employment, on account of his being required to conceal his religion. The cloud is, however, only a transient one; it soon disperses, and the sun of worldly prosperity shines on the family again. Before twelve months have elapsed, a fresh turn of fortune's wheel restores to them more than they had lost, thus enabling them to return to the home of their childhood, and that of their fathers before them. Three months of drudgery at the office, distasteful work patiently and cheerfully performed, have for their result a

<sup>1</sup> *Under a Cloud.* By M. F. S. London: Catholic Truth Society, 1893.

bequest to Cyril of thirty thousand pounds on the part of his employer ; and during their temporary exile the family make friends for a life-time ; friends who, in the case of two of the small circle, are united to them later on by the closest of all ties, the one which no earthly power can sever.

This book contains no startling incidents or striking scenes ; romance and adventure play no part in the narrative. It is a simple story of the every-day life of quiet, religious, unworldly people, who are neither much depressed by adversity, nor elated by prosperity, who do not rebel against anything that God's will appoints, but believe that God leads them by the best way, and endeavour to live up to that belief, whether they walk in sunshine or under a cloud. The chief lessons it teaches—and they are all-important ones—are that the most useful life is the happiest ; that self-sacrifice, self-denial must be our companions if we would walk along the narrow path, and that wealth, if confided to us, is to be used for the good of others and for the glory of God.

### Literary Record.

#### I.—BOOKS AND PAMPHLETS.

Father Matthew Russell has published a second series of his beautiful devotions to the Blessed Sacrament, under the title of *At Home near the Altar*.<sup>1</sup> They consist of prayers, hymns, holy thoughts, and anecdotes respecting the Blessed Sacrament for those who visit It. What we notice especially in them is their extreme simplicity. There is nothing elaborate or studied about them ; they evidently come straight from the heart of the writer, and we feel sure that they will go home to the heart of many a reader, who will be touched by their genuine piety, and by a certain artlessness and ease that is a special feature of Irish devotion. We heartily recommend the book as a present to young or old.

A little book, entitled *Anima Fidelium*,<sup>2</sup> dedicated to the Community of Helpers of the Holy Souls, has for its object to

<sup>1</sup> *At Home near the Altar*. By Father Matthew Russell. London : Burns and Oates.

<sup>2</sup> *Anima Fidelium*. Thoughts about the Holy Souls. By L. C. Skey. With a Preface by the Rev. Philip Fletcher, M.A. London : The Arundel Printing and Publishing Co., 1893.

place before the Catholic reader some of the benefits to be derived from meditation on the souls of the faithful departed, and impress on him his duties in their regard. What they do for us is to remind us of the uncertainty of life, to help us to attain holy indifference, to prepare for death, to assist our faith, encourage us to hope, teach us charity; whilst we, on our part, can remember them, pray, work, suffer, and give alms for them. The thoughts suggested in this short treatise are such as every Catholic would wish to cherish; they are expressed in simple, earnest language, and to the recent convert, who scarcely yet realizes the intimate connection between the living and the dead, or to the Christian who is negligent of his duty to the departed, they will prove a practical help, a useful incentive to the practice of one of the principal devotions of the Church in all ages.

*The Life of Auguste Marceau*,<sup>1</sup> by Lady Amabel Kerr, is an account of the conversion and subsequent apostleship of a French officer, who was reared as an infidel, taught to despise Christianity, and to regard virtue as contemptible. But the mercy of God made use of one of his infidel friends, the notorious Enfantin, to lead him to better things. A remark that every infidel ought to have "passed through Catholicism" suggested to young Marceau that his education had in this respect been neglected, and the result of his researches was, that first his intellect was convinced, and then his will overcome, by Divine grace. How edifying and determined a Christian he was, and how he devoted himself to the evangelization of Oceania, taking command of the missionary ship that conveyed the Marist Fathers thither, is told with great power of description and literary skill by Lady Amabel Kerr.

*The Spiritual Exercises of St. Ignatius arranged in Prayers*,<sup>2</sup> is a penny booklet, in which the substance of each of the more prominent Exercises is expressed in the form of a prayer. It may be recommended as a useful companion for the exercitant, who often feels the need of a little such assistance when the time comes for the colloquy; and we should not be surprised if it were to become a favourite in Houses of Retreat. The original is by a French Father of the Society of Jesus.

<sup>1</sup> *Auguste Marceau: A Sailor's Life.* By Lady Amabel Kerr. London: Catholic Truth Society.

<sup>2</sup> *The Spiritual Exercises of St. Ignatius arranged in Prayers.* Translated from the French by A. L. P. D. London: Catholic Truth Society.

In their Devotional Series the Catholic Truth Society have brought out a little pamphlet which is unlike anything that we have seen issued by them before. It is a brief sketch, or perhaps we might almost say, a compact little treatise, of the theology on the Holy Angels,<sup>1</sup> evidently the work of a trained theologian, and containing in a short compass a great deal of valuable matter on the subject. We hope it is the beginning of many similar pamphlets. Sermons would improve if preachers would study some such outline treatises—not that it is only outline, for it contains illustrations, quotations, and even poetry, all very much to the point.

Father Humphrey, with characteristic vigour and pungency, administers a well-deserved castigation to a certain Rev. Montagu Butler, who had imprudently quoted him in defence of Anglican Orders and the continuity theory. Father Humphrey had said: "It (Anglicanism) does represent the pre-Reformation Church, but I distinguish; it represents it *as a corpse represents him who was once a living being*. Mr. Butler omits all notice of the apt simile. On the question of Anglican Orders it is hard to acquit Mr. Butler of conscious dishonesty. We cannot quote the passage, but recommend our readers to procure Father Humphrey's pamphlet,<sup>2</sup> that they may see the controversial shifts to which Anglicans are driven.

In gentler guise, but with no less convincing force of argument, Father Sydney Smith, in one of the Historical Papers of the Catholic Truth Society,<sup>3</sup> sets aside one by one all the supposed testimonies of Roman Catholics adduced by Mr. Butler in favour of Anglican Orders. It is difficult to understand how any respectable clergyman can have so distorted and misquoted the authors whom he cites as Mr. Butler has done. The patent folly of so doing in the case of books within easy reach (to say nothing of the virtue of honesty) should, we imagine, have restrained him. The only point that we should be inclined to raise is, whether Father Smith is not wasting his valuable powder and shot in firing at such a man of straw.

Wisely, the Catholic Truth Society are taking a leaf out of their adversaries' book, or rather, are borrowing its external

<sup>1</sup> *The Holy Angels*. London: Catholic Truth Society.

<sup>2</sup> *Dishonest Criticism*; an Exposure of *Rome's Tribute to Anglican Orders*. By Father Humphrey, S.J. Leamington: Art and Book Company.

<sup>3</sup> *Rome's Witness against Anglican Orders*. By the Rev. Sydney F. Smith, S.J. London: Catholic Truth Society.



dress, and bringing out pamphlets which we feel sure will have a very wide circulation, and are calculated to do a great deal of good. *The True History of Maria Monk*<sup>1</sup> exposes the real character of this degraded woman, who lived a life of sin and died in prison, where she was undergoing a sentence of imprisonment for picking the pocket of a man with whom she lived. The pamphlet contains three parts. The first is a reprint of an article that appeared on the subject in the *Dublin Review* many years since. The second gives further evidence of the unscrupulous wickedness of the woman, and the third establishes the fact of her miserable death as above described.

Another pamphlet, similar in its get up, and entitled *All about Monks and Nuns*,<sup>2</sup> is a temperate statement in defence of monasteries and convents, which ought to brush the dust away from the eyes of all Protestants who read it, and to give them the power of seeing what was to be the effect of Divine Majesty.

The *Catholic Directory*<sup>3</sup> is too well known and appreciated to require special notice. But it should be mentioned that attention is called on page 37 to the provisions of the new Act of Mortmain and Charitable Uses (55 Vict. cap. 73). The only other new feature we notice is the large appearance Wimbledon is beginning to make in the Notices of Schools and Colleges.

*The Catholic Almanac* contains, as usual, a wonderful pennyworth of information, secular and religious, and besides this sets before the reader each month some half-dozen texts from Holy Scripture for meditation. It is sufficient recommendation of it that it is the work of the skilful and accurate editor of *The Catholic Directory*.

Messrs. Benziger's *Catholic Home Annual*<sup>4</sup> contains its usual supply of interesting and edifying stories, excellent illustrations, biographies, likenesses of remarkable ecclesiastics, and miscellaneous matter of every kind. The stories it contains have the strong recommendation of being essentially Catholic in tone, unworldly too, and bold in their Catholic spirit, as will be recognized at once by any one who reads the admirable little story of Martin's Marriage, by the well-known Mr. Maurice Egan.

<sup>1</sup> *The True History of Maria Monk*. London : 21, Westminster Bridge Road, S.E.

<sup>2</sup> *All about Monks and Nuns*. By the Very Rev. Canon Foran. London : 21, Westminster Bridge Road, S.E.

<sup>3</sup> *The Catholic Directory for 1894*. London : Burns and Oates.

<sup>4</sup> *Catholic Home Annual*. New York, Cincinnati, and Chicago : Benziger Bros.

*Shuilers from Heathy Hills*<sup>1</sup> is a collection of poems, humorous, pathetic, and patriotic, to which are added two or three prose sketches of a humorous character. The word *shuilers* will puzzle the benighted Briton, so we will explain that, as the author tells us in the Preface, its meaning is properly a *traveller*, but that it is now limited to those unwelcome travellers known to us as vagrants. These poems are all racy with Irish wit and fun, and give evidence of real talent, not without a dash of genius. The book is one of great promise, and we hope that the author will cultivate the poetic gifts that he undoubtedly possesses. We cannot do better than print a short poem that may give the reader some idea of the characteristic humour of the writer :

## FATHER JOHN.

Father John rode from the wedding,  
Chatting Thurisk by his side,  
Underneath whose coat a fiddle  
Peeped,—his all, his joy and pride.

Father John so hale and rosy,  
Always smiling blithe and gay :  
Thurisk's eyes, around the corners,  
Love of mirth and fun betray.

"'Twas a dhroll night, Thurisk darlin'—  
With a twinkle in his eye—

"Who e'er seen the weddin' bate it  
For rale fun? I'm sure not I!

"How about the fiddle, Thurisk—  
What sum did she rise, asthore?"

"A thrifle just of two-an'-twinty,—  
Devil take the penny more."

"A thrifle is't of two-an'-twinty?"  
Father John spoke in surprise—

"Sixteen shillin's an' thruppence,<sup>2</sup> Thurisk—  
That was all that I could rise!"

Thurisk looked on him with pity,  
Shook his head,—“Throgs I'm afraid  
That the ould man—Heaven rest him!—  
Might a-give ye a betther thrade.” (p. 29.)

<sup>1</sup> *Shuilers from Heathy Hills*. Poems, and Humorous Prose Sketches. By Mac Author of *Corney Higarty's Yarns*, &c. Donegal: G. Kirke, Mountcharles.

<sup>2</sup> The marriage fee in Donegal in the days of our hero.

## II.—MAGAZINES.

In the opening article of the *Stimmen aus Maria-Laach* for November, Father Baumgartner summarizes the results of Assyriological research, and points out the new lights on Biblical history afforded by the deciphering of the tablets more recently discovered. These regard (1) the Creation; (2) the Deluge; (3) the formation of cities; (4) the kings of Egypt and Western Asia in the time of the Patriarchs; (5) Egyptian religion and literature; (6) the period immediately preceding the fall of Babylon. It will be seen hence how the fresh discoveries of science serve to reconcile the apparent discrepancies between the narratives of the sacred and profane historian. Father Pesch makes a full examination into the merits and demerits of the system of holding land by feudal tenure, the mutual relations of lord and vassal, and their respective duties and burdens. He states it to have been by no means an ideal system even for the ages in which it prevailed. In concluding, he deprecates the idea now gaining ground, that the possession of private property is necessarily a wrong to society. An interesting account, and one which, coming from the pen of so great an authority on archaeological matters as Father Beissel, is sure to be an accurate account, is given of the vestments, sacred vessels, and books which were used, as well of the ceremonial which was observed in the eighth century, when the Pope went in procession to celebrate Mass at one of the principal churches in Rome on Sundays or great festivals. Some practical suggestions, explained and supported by the facts of physical science, in respect to the most profitable employment of combustibles, will be welcome to the readers of the *Stimmen* at the present time, when the high price of coal renders the economizing of fuel necessary in many households. Father Schmitt carefully sifts the evidence for and against the claims of the individual who asserted himself to be Baldwin of Flanders, the last Latin Emperor of Constantinople. History relates that the real bearer of this title died in prison in 1205; it was impossible at the time, and it is still more so at this distant period, to decide with certainty whether or no the man in question was an impostor. For the warning of those who may perhaps wish to purchase a volume of German poems

for a New Year's gift, we may mention that Father Kreiten strongly denounces the elegant little volume entitled *Die Lieder des Mirza Schaffy*, which has found favour in a wide circle of German readers, although it is, he states, destitute of literary merit and anti-Christian in its tendency.

The old contest between the secular and the spiritual power for the right to nominate bishops, a contest of which the pages of history afford ever-recurring instances, is again renewed on occasion of the appointment by the Holy Father of Cardinal Sarto to the vacant see of Venice. This act on his part is said to be a violation of the right of the Crown. The *Civiltà Cattolica* (1040) proves from historical and legal documents that this assertion is entirely unfounded. The biblio-italic researches principally concern the Amazons, who are pronounced to have been of Hittite origin, since they were usually connected with places where there are Hittite remains. The etymology of the name *Themiscyra*, the chief city of the Amazons, is discussed, and an explanation given of the legend of these feminine warriors. The visitor to the Chicago Exhibition gives his impression in respect to the condition of Catholic art in the United States, the advantages offered for the cultivation of taste in schools conducted by Religious Orders, and the evils resulting from the system of laicization. The Natural Science Notes speak of the frequent cases that occur of death or injury to men and animals, as well as the conflagration of buildings from lightning, more especially in the open country. An account is given of an improvement suggested by Professor Murandi in the construction of conductors; also of a barometer *ultra-sensibile*, affected by the slightest variation in the state of the atmosphere, the invention of another Italian scientist. Another recent invention is a more satisfactory method of ventilating subterranean passages than has hitherto been discovered. The great productiveness of the silver-mines at Sarrabus in Sardinia; a fresh remedy against the ravages of the phylloxera; the possibility of constructing cisterns for the storage of wine after a specially good vintage, are the other subjects discussed. In the issue for the 1st week of December (1043), the usual annual appeal to the charity of the faithful is made in the pages of the *Civiltà* on behalf of the nuns who suffer under the oppressive regulations of the Government. The editor regrets that owing to the financial depression that affects so many in Italy, the sum placed at his disposal for distribution

has been in the past year unusually small, and promises a special blessing to those who out of their diminished means contribute to alleviate the miseries of the afflicted spouses of Jesus Christ. In a second article on the pernicious results to be anticipated from the recent legislation in regard to education, the *Civiltà* does not hesitate to affirm that the propounder of the scheme, Signor Martini, is, consciously or unconsciously, a tool in the hands of the Freemasons. The cause of the voluntary and involuntary movements of the irrational animals is the subject of another article. A pilgrim to Lourdes in the close of last August describes all that he saw under the escort of one of the Fathers stationed there. The splendid vessels and rich ornaments contained in the sanctuary, the charity of those who receive and wait upon the sick when they arrive, the faith and devotion of the worshippers, the supernatural atmosphere that pervades the shrine, impressed him most profoundly.

That excellent periodical, the *Literarische Rundschau*, announces that with the January number of 1894, it passes under new editorship. Dr. Krieg, who has conducted the journal with eminent success during the past nine years, finds himself compelled by the pressure of professorial duties to resign his charge. He will be succeeded by Professor G. Hoberg. The new editor will carry with him the good wishes of the many readers who during the twenty years of its existence have learnt to appreciate the value of this thoroughly Catholic Review. Among the other contents of the December number now before us there is a very favourable notice of the splendid edition of the Works of St. Francis of Sales now being brought out by a Benedictine of English birth, Dom Benedict Mackey. We observe also among the *Nachrichten* a paragraph upon the late Father Morris, but the writer is of course mistaken in describing Father Morris as having actually published a Life of Cardinal Wiseman.

